

CITY COUNCIL  
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON EDUCATION

----- X

May 6, 2014  
Start: 10:19 a.m.  
Recess: 5:47 p.m.

HELD AT: Council Chambers  
City Hall

B E F O R E: Daniel Dromm  
Chairperson

COUNCIL MEMBERS:

Jumaane D. Williams  
Margaret S. Chin  
Mark S. Weprin  
Stephen T. Levin  
Alan N. Maisel  
Mark Levine  
Chaim M. Deutsch  
Deborah L. Rose  
Andy L. King  
Mark Treyger  
Antonio Reynoso  
Daniel Garodnick  
Vincent Gentile  
Inez D. Barron

## A P P E A R A N C E S (CONTINUED)

Letitia James  
Public Advocate

Laura Feijoo  
Superintendent for the Office of School Support  
at Department of Education

Laurie Price  
Acting Director for the Office of New School  
Design Charter Partners at Department of  
Education

Elizabeth Rose  
Chief of Staff in Division of Operations for the  
New York City Department of Education

David Golovner  
New York Charter School Center

Erik Joerss  
New York Charter School Center

John Khani  
Council of School Supervisor Administrators

Michael Regnier

Stacey Gauthier  
Renaissance Charter School

Vashti Acosta  
Amber Charter School

## A P P E A R A N C E S (CONTINUED)

Rafiq Kalam Id-Din  
Teaching Firm of America Professional Prep  
Charter School

Yaacov Levy  
Renaissance Charter School

Tayo Belle  
New York Civil Liberties Union

Elba Montalvo  
Committee for Hispanic Children

Leonie Haimson  
Class Size Matters

Abe Barranca  
Committee for Hispanic Children

Paulina Davis  
Advocates for Children of New York

Noah Gotbaum  
CEC 3

Richard White  
Parents from PS 149

Valerie Williams  
District 75 CEC

Karen Sprowal  
PS 75

## A P P E A R A N C E S (CONTINUED)

Victoria Williams  
Mid-Manhattan Adult Learning Center

Cheryl Davis  
Explore Charter School

Morty Ballen  
Explore Charter School

Aviva Buechler  
Harlem Link Charter School

Charles Taylor  
Harlem Link Charter School

Miriam Nunberg  
Brooklyn Urban Garden School

Melanie Lewis  
Explore Charter School

Ronald Chaluisan  
New Visions for Public Schools

Raymond Rivera  
Reverend at Family Life Charter School

Sylvia Tyler  
Parents and Educators

Bob HuDock  
Community Education Council 20

## A P P E A R A N C E S (CONTINUED)

Nancy Northrop  
Queens High School President Council

Brook Parker  
Williamsburg and Greenpoint Parents at Our  
Public Schools

Melissa Plowden-Norman  
Parent at Excellence Boys Charter School

Tandrea Lang  
PTA President at PS 59

Gina Sardi  
Principal at New York Montessori Charter

Shubert Jacobs  
Principal at Bronx Charter School for Better  
Living

Lorraine Gittens-Bridges  
New York Public Schools

Michael Catlyn  
New York City Public Schools

Steve Zimmerman  
Our World Neighborhood Charter School

Shimon Waronker  
New American Academy Charter School



CHAIRPERSON DROMM: [gavel] Good

morning. My name is Daniel Dromm and I'm the Chair of the Education Committee of the New York City Council. I want to preface all of the statements today by saying first and foremost, number one, that I'm not opposed to truly community based charter schools, but that I do have a deep concern about corporatized charter networks. I want to make that distinction, and I want you to understand that distinction before I even read my opening remarks. Very glad to see that we've been joined by a number of organizations, but particularly, by the coalition of community charter schools whose here today and will give testimony later on. I will also be asking any charter CEOs about their salaries. I do not intend to insult anyone, but I feel that transparency on that issue is vitally important to the work of this Committee. I would like to also state from the beginning that there are a 183 charters in New York City, 69 of them have the Department of Education as their authorizer. All of the charters in New York are nonprofits. I want to

1 ask people to sign in with the Sergeant over  
2 here if you intend to speak, and we will be  
3 here to hear from everyone, no matter how long  
4 that takes, and finally, I will be swearing in  
5 all the witnesses who will be appearing before  
6 this committee today. I'd like to also say that  
7 we have been joined by my colleagues in the  
8 City Council, Margaret Chin from Manhattan,  
9 Debbie Rose from Staten Island, Chaim Deutsch,  
10 the Chair of Nonpublic Schools Education  
11 Committee in the City Council, Andy King from  
12 the Bronx, Mark Treyger from Brooklyn, Vinnie  
13 Gentile from Brooklyn, and Antonio Reynoso from  
14 Brooklyn as well. We've also been joined by our  
15 Public Advocate, and she will be giving remarks  
16 after I do, and then Council Member King will  
17 be giving remarks on the legislation that we  
18 are also having this hearing about. And we  
19 have been joined by a hero of mine who is the  
20 former Chair of this Committee, a man who  
21 walked from Harlem to Albany to fight for CFE  
22 dollars, that is Robert Jackson. Thank you  
23 Robert Jackson for being here.

24 [applause]  
25



1  
2 CHAIRPERSON DROMM: Okay. An attack  
3 on public education is an attack on democracy,  
4 says Diane Ravich [sp?], imminent education  
5 historian who has withdrawn her support for the  
6 corporatized charter school network movement  
7 after realizing the damage it is doing to our  
8 children's future. It is worth noting that the  
9 highest performing nations do not have charter  
10 schools but rather focus on equitable public  
11 education. Indeed, this debate is ultimately  
12 about whether we still believe as a society  
13 that education is a good, that is, something so  
14 important to all of us that we have decided to  
15 invest collectively in its success. The main  
16 question for today, therefore, is having a  
17 parallel education system separate and unequal  
18 a sort of educational apartheid, the solution  
19 to public education's problems. Across the  
20 country, millionaires and billionaires who know  
21 absolutely nothing about public education are  
22 trying to reshape our education system, not  
23 based on educating the whole individual, but  
24 ultimately enriching themselves and their  
25 cronies. How can we stop this disturbing trend

1 right here and now in New York City and send a  
2 message across the country that public  
3 education is not for sale. When I first decided  
4 to follow my calling into the field of  
5 education over three decades ago, I did so  
6 because I wanted to impact the lives of young  
7 people regardless of the circumstances they  
8 were born into. After a stint as the director  
9 of the Grand Houses Daycare Center in Harlem, I  
10 spent the bulk of my career at PS 199Q in  
11 Sunnyside Queens. Nearly all of my students  
12 came from recent immigrant families working to  
13 succeed here in the United States. I focused on  
14 ensuring all the children under my care and  
15 tutelage had what they needed to make a  
16 positive impact in their own lives as well as  
17 the world around them. If any of my colleagues  
18 or I ever struggled, it was not because of a  
19 lack of passion or commitment, but rather  
20 because of constantly changing mandates from  
21 above, unrelenting standardized testing and a  
22 perpetual lack of resources. This last item is  
23 a challenge that we must address together as a  
24 society, not by diverting resources into the  
25

1 hands of corporate profiteers, but by reforming  
2 the system to address any inequities. The  
3 imperative that every child be provided with an  
4 appropriate education is not just a legal  
5 mandate. It is a sacred principle that guides  
6 our work as educators. Education is the great  
7 equalizer, and only through public education is  
8 it possible to realize this in the lives of  
9 every child. This hearing will examine how far  
10 charter schools have come in fulfilling their  
11 original purpose to cut through bureaucracy, to  
12 welcome stake holders and the decision making  
13 process and to serve as incubators for  
14 pedagogical innovation. Specifically, today's  
15 testimony from the Department of Education and  
16 others will give this committee insight into  
17 which best practices in charter schools are  
18 being used in which public schools. In its  
19 oversight capacity, this committee will also  
20 need to identify and examine instances where  
21 these goals have not been met. We will gain  
22 insight into the extent to which these goals  
23 have been corrupted by the seeming push to  
24 dismantle public education. Of particular  
25

1 importance is the extent to which the charter  
2 movement has been taken over by Wall Street  
3 raiders and right wing extremist seeking to  
4 weaken and ultimately alienate not just public  
5 education but all investment in the common  
6 wheel. Illustrative of the problem are the  
7 millions of dollars that charter school  
8 corporations are pumping into public relation  
9 campaigns that pits school communities against  
10 each other, particularly parent against parent.  
11 A particular concern is the extent to which  
12 children and parents who rightfully want the  
13 best education possible have unwillingly become  
14 part of the efforts that have distracted not  
15 just the vital conversations that we need to  
16 having, but also from the school day. Bussing  
17 children on a school trip up to Albany for what  
18 many have characterized as a political rally  
19 raises a whole host of questions around this  
20 activity's propriety and legality, especially  
21 since a district school would never have been  
22 allowed to do the same. Other questions abound.  
23 Were teachers at this school compelled to  
24 attend the rally? Was everyone assigned a job?  
25

1  
2 Were teachers assigned as bus captains? How  
3 many students did not go? How many did not  
4 receive an education that day? This rally is  
5 only one in a list of other troubling  
6 discrepancies when compared with public  
7 schools. How students who need extra attention,  
8 whether they are special education, English  
9 language learners or students with behavioral  
10 issues are dealt with is key to understanding  
11 how far charter schools have deviated from the  
12 purpose of education in our democracy. Issues  
13 with school discipline strike at the heart of  
14 our concerns about the corporatized charter  
15 school movement. Stories from parents and  
16 students in many schools across the city paint  
17 a picture of zero tolerance policies, high  
18 rates of suspension and expulsion and tone deaf  
19 administrators. Particularly disturbing is at  
20 least one discipline code that relies on  
21 humiliating and ostracizing students for  
22 various infractions by making them wear a  
23 special uniform. With that in mind, I want to  
24 set the tone for this hearing, which will be  
25 decidedly different from the public spectacle

1 in which blame is shifted, attention is  
2 deflected and children and parents are used for  
3 publicity ploys rather than as partners at the  
4 table of this discussion. Ultimately, we need  
5 to keep the corporate interest that have so  
6 thoroughly decimated the economy and caused  
7 banks to fail away from public education. The  
8 alarming growth in the gap between the mega  
9 rich and the rest of us will only be  
10 exacerbated if we do not immediately halt any  
11 force seeking to weaken public education. The  
12 conversations that we are having today and will  
13 continue to have are so critical to countering  
14 slick corporate directed public relations  
15 campaigns. I want to be very clear, asking for  
16 accountability at the highest levels of charter  
17 schools should not be twisted into an attack on  
18 the education of children from disadvantaged  
19 backgrounds. It is our duty to oversee the use  
20 of public dollars and to call into account all  
21 those who use public resources. The operation  
22 of charter schools should not be immune to a  
23 healthy dose of sunshine. It is in everyone's  
24 interest to gain and maintain the confidence of  
25

1 all those involved. My colleagues and I would  
2 be abrogating our responsibility if we demanded  
3 anything less. With the recent efforts of one  
4 charter school to prevent the State Comptroller  
5 from looking at its books, the need for this  
6 body to step up even more zealously in its  
7 oversight role is apparent. Under the umbrella  
8 of accountability fall several areas of  
9 concern. One area that we want to highlight is  
10 executive salaries, especially after the  
11 scandal over disproportionately high salaries  
12 and benefits of the executives who head our  
13 city's library systems. In fact, the New York  
14 Times recently reported on the sometimes  
15 massive disparity between charter school  
16 executive salaries and the average income of  
17 the areas where these schools operate. Also  
18 worth probing are the large amounts of funding  
19 that some charter schools collect from outside  
20 sources. Finding out details about how these  
21 funds are obtained and spent may provide  
22 valuable lessons for public schools, many of  
23 which so desperately need additional funding.  
24 Outside contract are another area for this  
25

1 hearing. Are we holding people with the  
2 authority to award city contracts to the  
3 standard of transparency required under the  
4 Conflict of Interests Board? Should CEO's of  
5 charter schools be required to file conflict of  
6 interest disclosures? Which firms are  
7 receiving capital contracts? How are those  
8 decisions made? What is the bidding process?  
9 Are tax payer dollars spent on capital project?  
10 How are premium block and science rooms being  
11 funded? This hearing will also ask whether  
12 network directors have any other outside income  
13 and if so, how it is reported. The mission of  
14 public school education is at stake. We elected  
15 officials are guardians of this public good and  
16 should be vigilant of anything that will erode  
17 it, such as the displacement of public school  
18 students through charter school co-locations.  
19 The Washington Post summed up this committee's  
20 primary concern with its story entitled "The  
21 Big Looters in New York City Charter Fight,  
22 Students with Disabilities." This story and  
23 all the sources it cited pointed the finger  
24 squarely at Success Academy for taking away  
25



1  
2 resources from the most vulnerable students at  
3 PS 149 in Harlem. When it appears as if  
4 anything impedes a child's education, then this  
5 council will do everything in its power to  
6 rejust this injustice. When any entity that  
7 receives public resources seeks to shield  
8 itself from accountability, then this council  
9 will pry open the lid no matter how tightly it  
10 is sealed. Today we will also hear testimony on  
11 Intro Number 12 sponsored by Council Member  
12 Andy King. Intro 12 would require the DOE to  
13 submit a report to the City Council regarding  
14 information on co-located schools, including  
15 charter schools no later than June 15<sup>th</sup>, 2015  
16 and annually thereafter. This report would  
17 include a comparison of demographic  
18 information, including race, ethnicity, English  
19 language learner status and special education  
20 status. In addition, this report would include  
21 information regarding student academic  
22 performance including but not limited student's  
23 scores received on state examinations. I would  
24 like to remind everyone who wishes to testify  
25 today, as I've already done, that you must fill

1  
2 out a witness slip, which is located on the  
3 desk at the Sergeant of Arms near the front of  
4 the room. If you wish to testify on Intro  
5 Number 12, please indicate on the witness slip  
6 whether you are here to testify in favor or in  
7 opposition of Intro Number 12. I also want to  
8 point out that we will not be voting on the  
9 bill today, as this is just the first hearing.  
10 Please note that all witnesses will be sworn in  
11 and to allow as many people to testify as  
12 possible. Testimony will be limited to three  
13 minute per person, including my colleagues, and  
14 I am now going to turn the floor over to my  
15 colleague, the Public Advocate for the City of  
16 New York, Letitia James.

17 PUBLIC ADVOCATE JAMES: Good  
18 morning, Chairman Dromm and to committee  
19 members and to the public. I'm here today  
20 because I want to ensure that all schools  
21 whether charter or district serve our children  
22 better. Today, it is about working together for  
23 the benefit of all children and that begins  
24 with oversight, accountability and policies  
25 that help all students, especially our students

1 who are in special education. It dawned upon me  
2 that we are approaching the 60<sup>th</sup> anniversary of  
3 Brown versus Board of Education on May 17<sup>th</sup>. It  
4 was decided on May 17<sup>th</sup>, 1954, and basically it  
5 was a major victory of the civil rights  
6 movement, but it stood for--it was an attack  
7 against segregation and its odious nature upon  
8 those who were begin separated based on this  
9 artificial distinction known as race, and I  
10 specifically want to focus on special education  
11 because the IBO, the Independent Budget Office  
12 recently found that special education students  
13 leave charter schools at a much higher rate  
14 than either general education students in  
15 charter schools or special education students  
16 in traditional public schools. Let me say that  
17 again. The IBO recently found that special  
18 education students leave charter schools at a  
19 much higher rate than either general education  
20 students in charter schools or special  
21 education students in traditional public  
22 schools. Only 20 percent of students classified  
23 as requiring special education services who  
24 started kindergarten in charter schools  
25

1 remained in the same school after three years.  
2  
3 And so the question to DOE is, where is the  
4 oversight and accountability to ensure that  
5 charter schools are serving special education  
6 students and could you provide--can you provide  
7 this body with the number of certified  
8 teachers, the percentage of special education  
9 teachers and the average length of employment?  
10 There's also evidence to demonstrate that shows  
11 that students in charters are disciplined more  
12 harshly and receive high suspension rates, that  
13 is students who are special needs children.  
14 And my question, or my point is that these  
15 types of practices do not foster a productive  
16 learning environment. In fact, our students and  
17 parents feel alienated and feel that this is  
18 causing them irreparable harm. And so the  
19 question is, what is the rate at which students  
20 are suspended in charter schools versus  
21 district schools? What measures are in place  
22 to reduce suspension rates? Do charter schools  
23 keep records of the children who leave or are  
24 transferred to another school as to where they  
25 go, and if not, why? And if yet, and if the

1 answer is yes, are these records public,  
2 because we have sought to obtain these records,  
3 but the Office of Public Advocate we have not  
4 been able to obtain those records. And again,  
5 my focus is primarily on special needs  
6 children. I would also be remiss if we did not  
7 mention the importance and the need for  
8 increased accuracy of educational impact  
9 statements because this document effects how  
10 space is shared in co-located schools. When the  
11 de Blasio Administration sought to continue a  
12 practice of forced co-locations, the Office of  
13 Public Advocate went to court along with 70  
14 other petitioners seeking to block these  
15 forced co-locations that result in elementary  
16 age students being co-located with high school  
17 students that cause special needs students to  
18 lose space for therapy and all other students  
19 to lose space for physical education, art and  
20 music. The question was, were parents input  
21 involved in the process of co-location, and was  
22 it done without a review of available space  
23 within each school? And will co-locations  
24 result in further overcrowding without  
25

1  
2 addressing the overwhelming number of children  
3 forced to learn in dilapidated trailers such as  
4 what I witnessed at Richmond Hill High School.  
5 And I would like for DOE to be absolutely clear  
6 on the following. What is the responsibility of  
7 charter schools sharing a space with a public  
8 school? What steps are you taking to improve  
9 the accuracy of educational impact statements  
10 for co-located schools? Why does DOE not do a  
11 community educational needs assessment prior to  
12 an EIS? And the school leadership teams, and  
13 the teachers, and the community education  
14 councils, what role do they play in shaping  
15 education policy in their district, and what  
16 role do they play in fostering a more  
17 productive school community? And again, what  
18 oversight mechanisms do charters and DOE have  
19 in place to improve engagement with the larger  
20 school community? So, those are some of the  
21 questions that I have, and I would hope that  
22 Department of Education would in their  
23 testimony provide some of those answers. If  
24 not, if some of those answers can be provided  
25 to my office at a later date, I would

1  
2 appreciate that. But again, my role in being  
3 here today is to ensure that all of our schools  
4 serve all of our children at a equal and in a  
5 just fashion consistent with Brown versus Board  
6 of Education. Thank you.

7 CHAIRPERSON DROMM: Thank you,  
8 Public Advocate James. And I would like to turn  
9 it over to Council Member Andy King.

10 COUNCIL MEMBER KING: Good morning,  
11 Chair, and thank you members of the Education  
12 Committee, representatives from the Department  
13 of Education, school administrators, parents  
14 and invited guests. My name is Andy King and I  
15 have the privilege of serving the 12<sup>th</sup> district  
16 of the Bronx and the City Council. Today I'm  
17 here to present marks on Intro Number 12, 2014.  
18 What a coincidence, I represent the 12<sup>th</sup>, and  
19 this is the 12<sup>th</sup> bill of the year. So it's got  
20 to be a good bill. Something has to happen  
21 positive out of this. And this bill will  
22 require that the Department of Education  
23 release comparison reports on co-location  
24 schools seated on property owned by the City of  
25 New York. I also would like to thank the 24

1  
2 other colleagues of mine who signed onto this  
3 piece of legislation. I look forward to the  
4 rest of the Council signing on also. In  
5 particular, these reports would include but not  
6 limit to a comparison of demographic  
7 information including but not limited to race,  
8 ethnicity, English language learner status and  
9 special education status, and two, information  
10 regarding student academic performance  
11 including but not limited to student scores  
12 received on state examinations. According to  
13 the City of New York, the Department of  
14 Education website, the DOE is the largest  
15 system of public schools in the United States.  
16 It serves about 1.1 million students in over  
17 1,700 schools including 183 public charter  
18 schools. And according to the New York City  
19 charter school center, over 900 schools in  
20 total in 2013. Over half of all the schools  
21 throughout the city are co-located on campuses  
22 with other schools and programs. As a parent, a  
23 former ACS worker and a current elected  
24 official, I am frequently approached by parents  
25 in my district wondering why their child's



1 school is not performing on par with other  
2 schools located in the same building. Today,  
3 this is part of the inspiration that allowed me  
4 to come up with this conversation for this  
5 bill. The work that I do each and every day in  
6 the school systems with my youth by the fact,  
7 the Public Advocate and I have gone before  
8 about 400 students in a couple of hours to have  
9 the similar conversation about what they're  
10 experiencing in the school buildings. Intro 12  
11 would afford the DOE and the City Council the  
12 opportunity to review disparities and  
13 performance across schools, both public and  
14 charter. It also will allow principals and  
15 campus governing bodies such as building  
16 councils and school leadership teams in  
17 addition to avenues to analyze how success can  
18 be promoted across schools where there are  
19 difference in performance levels of students.  
20 But more important, it would allow parents a  
21 resource to compare, analyze and engage the  
22 efficacy of their child's school curriculum in  
23 contrast to other schools located in the same  
24 building. This is not a bill meant to target  
25

1  
2 public schools, nor is a bill to target charter  
3 schools. More--most of the reporting data that  
4 is provided online at each school's website  
5 whether public or charter. This bill will  
6 compile this information into a comprehensive  
7 reports based on campuses made available online  
8 and will spark dialogue as ways to the best  
9 ways the DOE, school administrators, parents  
10 and other stakeholders can promote a campus  
11 environment which promotes students success  
12 across public and charter school lines. We all  
13 want to promote our student's success. Intro 12  
14 enable us with another tool to help further  
15 this effort. Thank you very much for allowing  
16 me to present today and I'm looking forward to  
17 today's testimony regarding this very important  
18 bill, and thank you everyone again. I'm looking  
19 forward to a great dialogue on this  
20 introduction. Thank you.

21 CHAIRPERSON DROMM: Thank you,  
22 Council Member King. I'd like to say that we've  
23 been joined by Council Member Mark Levine,  
24 Council Member Steve Levin, Council Member  
25 Ruben Wills, Council Member Alan Maisel, and I

1  
2 think I've covered everybody who's here right  
3 now. And so with that, I would like to ask  
4 Laura Feijoo, the Senior Superintendent for the  
5 Office of School Support at the DOE and Laurie  
6 Price, the interim Acting Director for the  
7 Office of New School Design Charter Partners at  
8 the DOE as well to please raise your right hand  
9 and to either swear or affirm to tell the  
10 truth, the whole truth and nothing but the  
11 truth in your testimony before this committee  
12 and to respond honestly to Council Member  
13 questions.

14 LAURA FEIJOO: I do.

15 LAURIE PRICE: I do.

16 CHAIRPERSON DROMM: Okay. Please  
17 begin.

18 LAURA FEIJOO: Thank you. Good  
19 morning, Chair Dromm and members of the  
20 Education Committee here today. My name is  
21 Laura Feijoo, Senior Superintendent in the  
22 Division of the Senior Deputy Chancellor in the  
23 Office of School Support and Supervision at the  
24 New York City Department of Education. Since  
25 this is my first time appearing before the

1 committee, I would like to introduce myself.  
2  
3 During my 25 year career in education, I have  
4 served as a middle school teacher, Assistant  
5 Principal, Principal, Superintendent, Deputy  
6 Regional Superintendent in Queens, Brooklyn and  
7 Staten Island. During the past eight years, my  
8 work has focused on supporting principals  
9 instructional and organizational practices. In  
10 my current role, I oversee the Office of School  
11 Support and Supervision in the Office of New  
12 School Design and Charter Partnerships. I am  
13 joined here by Laurie Price, interim Acting  
14 Director of the DOE's Office of New School  
15 Design and Charter Partnerships, and we are  
16 pleased to be here to discuss charter school  
17 management and accountability in New York City.  
18 This Administration is making systemic change.  
19 As you have heard from both the Mayor and the  
20 Chancellor, crucial steps are being made to  
21 address the root causes that challenge our  
22 schools today. Charters play an important role  
23 in these changes because they can facilitate  
24 innovation in ways that are more difficult for  
25 district schools, but we must keep in mind why

1  
2 charter schools were created, to act as  
3 laboratories of experimentation in education  
4 with the mission of bringing best practices to  
5 traditional schools so that every child can  
6 benefit. As you're aware, charter schools are  
7 public schools funded by their respective  
8 school districts and monitored by their charter  
9 authorizers of which there are three in New  
10 York State, the New York State Board of  
11 Regents, the State University of New York's  
12 Charter School Institute and the New York City  
13 Department of Education. Since the amendment to  
14 the New York State education law in 2010, the  
15 DOE no longer authorizes new charter schools.  
16 However, the DOE maintains the power to approve  
17 the renewal or revision of charters that it has  
18 already authorized. Charter schools are tuition  
19 free and open to all, admitting students via  
20 lottery. Unlike traditional district schools,  
21 each charter school has its own nonprofit Board  
22 of Trustees which is responsible for meeting  
23 the objectives established in charter schools  
24 act as well as the New York State standards  
25 established for all public schools. The 1998

1  
2 New York State Charter School Act grants  
3 autonomy to charter school operators in  
4 exchange for increase accountability. As a  
5 result, charter schools are explicitly tasked  
6 with improving students learning and increasing  
7 learning opportunities for all students, and  
8 especially those students at risk of academic  
9 failure. Charter schools are expected to use  
10 innovative methods to provide expanded choice  
11 within the school system, create new  
12 professional opportunities for school personnel  
13 and offer alternative from rule based to  
14 performance based accountability systems. This  
15 means that charter schools are held accountable  
16 not just for being in compliance with rules,  
17 but also for demonstrating performance in  
18 student's achievement. In New York City today,  
19 charter schools serve over 70,000 students and  
20 their families. They represent approximately  
21 six percent of our total student's population.  
22 Independently managed by their Boards of  
23 Trustees, charter schools can partner with a  
24 number of organizations to meet different  
25 needs. Over 80 charter schools partner with

1 nonprofit charter management organizations.  
2 Charter schools led by organizations like Saint  
3 Hope in Manhattan are replications of  
4 successful schools from other parts of the  
5 country. Some charters serve specific student  
6 populations such as Mount Haven Academy, which  
7 recruits students from our foster care system  
8 and many have been founded by community groups  
9 such as the Harlem Children's Zone, 100  
10 Hispanic Women and East Harlem Tutorial  
11 Program. Each school's Board of Trustees is  
12 free to make independent decisions about  
13 curriculum and staffing. In exchange for this  
14 autonomy, the Board of Trustees is responsible  
15 for operating an educationally fiscally and  
16 operationally sound school bound by the terms  
17 of its charter agreement. The Office of New  
18 School Design and Charter Partnerships provides  
19 oversight to the schools authorized by the DOE  
20 by holding them accountable to the highest  
21 standards expected under charter law and  
22 performance goals described in each school's  
23 individual charter. Our goal is to provide  
24 frequent consistent feedback and support to  
25

1  
2 these schools. Schools not authorized by the  
3 DOE are overseen by the New York State Board of  
4 Regents, or by the State University of New  
5 York. The DOE as the district in which the  
6 charter schools are located can forward any  
7 issues of noncompliance with applicable laws,  
8 regulations and charter provisions to the  
9 charter school's authorizer for action. In  
10 addition, the DOE works with the State  
11 Education Department and SUNY to discuss policy  
12 that will affect schools across the city such  
13 as enrollment, retention targets and  
14 disciplinary issues. We maintain a multifaceted  
15 accountability system for DOE authorized  
16 schools which we are working to maximize. For  
17 all DOE authorized charter schools must adhere  
18 to comprehensive monitoring plans that  
19 establishes requirements and responsibilities,  
20 designates guidelines for record keeping and  
21 outlines reporting requirements under the  
22 charter law. The plan details the situations  
23 in which charter schools must provide written  
24 notice to the DOE including any contracts that  
25 are greater than 50,000 dollars and any changes



1 of the school leader or Board of Trustees. It  
2 also requires schools to submit school  
3 handbooks, insurance certificates and lottery  
4 and application information. The DOE also  
5 collects and reviews information on charter  
6 schools as part of its annual comprehensive  
7 review schools must submit among other  
8 documents, self-evaluations and data on teacher  
9 certification, school discipline, enrollment  
10 and retention of students and staff and  
11 attrition rates. Schools are also required to  
12 submit compliance documents, mid-year fiscal  
13 documents and all board minutes. The annual  
14 comprehensive review culminates in a public  
15 report that details all results. The Office of  
16 New School Design and Charter Partnerships uses  
17 a framework developed by the National  
18 Association of Charter School Authorizers to  
19 conduct in depth reviews of each school's  
20 independently audited financial statement,  
21 including an assessment of school's financial  
22 state and a review of its audit notes to  
23 determine whether a school has defaulted on its  
24 debt and any areas of concern are investigated  
25

1  
2 and documented in the school's annual or  
3 renewal report. Anytime during the charter  
4 term, the DOE may issue a notice of concern,  
5 deficiency or probation related to the school's  
6 academic performance, fiscal operational  
7 viability or failure to comply with applicable  
8 laws or charter provisions. These notices  
9 require schools to correct identify  
10 deficiencies. Notices of probation can include  
11 the creation of a remedial action plan with  
12 specific improvement objectives and timelines.  
13 A school may be unnoticed for up to a school  
14 year. A charter school's failure to address  
15 these deficiencies may result in a nonrenewal  
16 or revocation of its charter. Schools that wish  
17 to continue operating as charters after their  
18 terms expire must apply for renewal. The  
19 renewal process, which may last several months  
20 includes a school submission of renewal  
21 application, a two day site visit, a public  
22 hearing and parent outreach. The Office of New  
23 School Design and Charter Partnerships may also  
24 interview board members and charter management  
25 staff. Performance measures including

1  
2 proficiency on various New York State exams as  
3 compared to district's non-charter elementary  
4 and middle schools and graduation rates  
5 compared to non-charter city high schools are  
6 included in the renewal process. After this  
7 evaluation, the New York City schools  
8 Chancellor makes a recommendation to the New  
9 York State Board of Regents. Each charter  
10 renewal can run for a term of up to five years.  
11 As you may know, one of Chancellor Farina's top  
12 priorities is improving family engagement.  
13 Charter schools are part of the district  
14 strategies for providing families with more  
15 high quality school options, and the Office of  
16 New School Design and Charter Partnerships is  
17 committed to keeping parents informed and  
18 responding to their questions or concerns. A  
19 formal complaint process exists related to  
20 charter schools. The Office of New School  
21 Design and Charter Partnership staff is  
22 available to guide parents or community members  
23 through the complaint process and to ensure  
24 that appropriate steps and actions have been  
25 taken. Parents can complete and submit a parent

1  
2 complaint form online in addition to all 311  
3 calls with questions or complaints about  
4 charter schools are routed to this office. In  
5 addition to ensuring accountability, the DOE  
6 provides operational support to all charter  
7 schools in New York City. This includes  
8 providing transportation and school food  
9 services for eligible charter schools, helping  
10 charter schools report mandated data to the  
11 state, holding hearings for renewals, revisions  
12 and new charter applications and referring  
13 complaints from parents and community members  
14 where appropriate. All charter schools in New  
15 York City receive tuition payments for general  
16 education and special education through the  
17 DOE. Department also serves the local education  
18 agency for charter school students with  
19 disabilities and our committees on special  
20 education oversee the creation and modification  
21 of individualized education plans for all  
22 charter school students. The original idea  
23 behind the charter school movement was to bring  
24 best practices to district schools, and in  
25 doing so, benefit the entire school system. We

1  
2 are excited that through the process of sharing  
3 best practices is already underway through New  
4 York City collaborates which is run out of the  
5 New York City charter school center. School  
6 study tours allow district and charter staff to  
7 learn from one another. This will further our  
8 mission to provide all New York City students  
9 with the highest quality education and reflects  
10 Chancellor Farina's unwavering commitment to  
11 collaboration rather than competition. The  
12 Learning Partners Program, our newest  
13 initiative, will bring all types of schools  
14 together to share exemplary practices that  
15 directly impact children in their classrooms.  
16 The program will span across all five boroughs  
17 and develop and promote inter-school  
18 collaborative learning between sets of host  
19 schools and partner schools. Next year,  
20 Learning Partners will expand to include a  
21 total of about 72 schools, 24 host schools and  
22 48 partner schools. The program will encompass  
23 elementary, middle and high schools with  
24 particular emphasis on middle schools.  
25 Empowering our leaders to share great ideas

1 will boost our student's ability to thrive.  
2  
3 With respect to facilities, 113 charter schools  
4 are currently co-located across 122 DOE  
5 buildings. We know that this has often been a  
6 source of tension among school communities.  
7 This Administration is committed to engaging  
8 all stakeholders in an equitable process about  
9 co-locations that meets the needs of all of our  
10 students. To archive this goal, we have created  
11 three new initiatives to improve how we  
12 determine space sharing decisions moving  
13 forward. First, Deputy Mayor Richard Buery and  
14 Chancellor Farina are leading a working group  
15 on school space issues. This group is  
16 partnering with school communities, principals  
17 and parents from both district and charter  
18 schools to anticipate long term needs more  
19 fully before co-locations are arranged. This  
20 group is focused on improving existing space  
21 and creating new shared space strategies that  
22 allow multiple schools to better grow alongside  
23 one another, pull and share specialized space  
24 and engage parents by informing them about  
25 their community's individualized areas of need.

1  
2 Second, as Chancellor Farina discussed at the  
3 preliminary budget hearing, we have established  
4 a campus building squad to promote joint  
5 programming and professional development among  
6 schools that share a campus. This group is  
7 facilitating activities across schools  
8 including a student's mentoring program, after  
9 school programs, public schools athletic  
10 league, fundraising and community service. The  
11 campus building squad will diffuse potential  
12 escalations at campuses, help schools arrive at  
13 prompt resolutions and share best practices on  
14 ways to better engage parents to create  
15 collaborative campus communities. Finally, we  
16 have created a blue book working group. The  
17 Blue Book is a document that outlines the  
18 capacity and current uses of DOE school  
19 buildings. The Blue Book Working Group is the  
20 result of Chancellor Farina's belief that this  
21 tool should provide a practical and honest  
22 reflection of space and building utilization.  
23 The Working Group is comprised of Department of  
24 Education officials, elected parent leaders,  
25 and community members. A revised Blue Book

1 alliance with new meaningful engagement process  
2 that the Chancellor has outlined will result in  
3 proposals that more effectively address the  
4 needs and concerns of our communities. Our  
5 policies regarding all city charter schools,  
6 whether in support, supervision or performance  
7 evaluation all exist within our larger goal to  
8 invigorate the quality of education for our 1.1  
9 million students regardless of what kind of  
10 school they attend. As you know, the State  
11 Legislature recently enacted a number of  
12 changes to the education law as it relates to  
13 charter schools. The amendment to the law  
14 provide for supplemental basic tuition for some  
15 charter schools, include several new provisions  
16 related to charter school access to facilities  
17 and authorize the New York City Comptroller to  
18 perform fiscal audits of charter schools  
19 located in New York City. We are in the process  
20 or reviewing these amendments and look forward  
21 to sharing more information soon. Changes  
22 recently enacted also permit charter schools to  
23 apply for pre-k funding. We released our  
24 charter school pre-k application last week and  
25



1  
2 we are excited to include charter schools in  
3 the historic implementation of universal pre-  
4 kindergarten. While we continue to finalize  
5 some aspects of the implementation, we are  
6 confident charter schools will play an  
7 important role in our expansion and add to the  
8 many high quality full day pre-kindergarten  
9 options available for families. Lastly, we'd  
10 like to express our support for Intro Number 12  
11 which requires the Department of Education to  
12 provide demographic and achievement data on all  
13 co-located schools. This report required by the  
14 proposed legislation will serve as a valuable  
15 resource to our school communities and other  
16 stakeholders. I want to thank you for your time  
17 and attention, and I'm happy to answer any  
18 questions you may still have.

19 CHAIRPERSON DROMM: Well, thank you.

20 I want to say that we've been joined by Council  
21 Member Mark Weprin and Council Member Jumaane  
22 Williams as well. Let me just start off by  
23 asking a couple of questions around the issue  
24 of the annual comprehensive review. How many  
25

1  
2 schools over the last year have you gotten into  
3 to see and actually performed a review?

4 LAURA FEIJOO: Myself?

5 CHAIRPERSON DROMM: Well, I know  
6 you're new--

7 LAURA FEIJOO: [interposing] Okay.

8 CHAIRPERSON DROMM: I mean, your  
9 division prior to you coming.

10 LAURIE PRICE: Yeah, so we review all  
11 of our charter schools that we authorize,  
12 unless they're going through the renewal  
13 process in that year. The renewal process is a  
14 even more in depth review, so we exempt them  
15 from the annual review when they're going  
16 through the renewal process.

17 CHAIRPERSON DROMM: So how many of  
18 the schools of the 69 schools, excuse me, were  
19 put on the early engagement list?

20 LAURIE PRICE: So in prior years,  
21 early engagement, we used early engagement to  
22 look at schools that were up for renewal, and  
23 so if those schools according to different  
24 thresholds that we had, were potentially going  
25 to get non-renewed. We did additional touches

1  
2 with the school and the school communities to  
3 let them understand that in the past. I don't  
4 have that number here with me, but--

5 LAURA FEIJOO: [interposing] We could  
6 get it to you.

7 LAURIE PRICE: But, yeah, we can  
8 certainly get that for you.

9 CHAIRPERSON DROMM: So that's the  
10 number who are not going to get renewals, but  
11 what about the early engagement list itself?

12 LAURA FEIJOO: Moving forward, the  
13 early engagement list for next school year for  
14 the--

15 CHAIRPERSON DROMM: [interposing]  
16 Well--

17 LAURA FEIJOO: [interposing] the  
18 14/15 school year?

19 CHAIRPERSON DROMM: There are some  
20 who are put on the early engagement that they  
21 are in danger. Is there a difference between  
22 being put on the early engagement list and  
23 threatened with renewal, or is that--

24 LAURA FEIJOO: [interposing] So, for  
25 the renewals, we look at all the charter

1  
2 school's data and their information. The early  
3 engagement list applies to all schools, mostly  
4 district schools in which their data has  
5 demonstrated themselves to be problematic for  
6 whatever reason and we have not announced for  
7 the coming year who those struggling schools  
8 that we will be looking at might be.

9 CHAIRPERSON DROMM: Okay. Well, that  
10 gives me the opportunity to say that there is  
11 one school that I'm aware of that maybe you  
12 should look at, and that is the Coney Island  
13 Prep Charter School. Just a minute, 'cause I  
14 have to put my uniform on. So, since you do do  
15 these reviews, and in your testimony you said  
16 that you review discipline policies, etcetera,  
17 so forth and so on, I'm sure you're aware and  
18 if you're not I have a copy of the Coney Island  
19 Charter Prep School's handbook. Can I ask the  
20 Sergeant to please give them a copy, and ask  
21 you to turn to page 18? At the Coney Island  
22 Charter Prep, the Coney Island Charter Prep,  
23 what they do is they give out pride dollars  
24 when students are good. When students are not  
25 so good, they take away pride dollars, which as

1 a teacher, I've heard before behavior  
2 modification, okay. But what I have not heard  
3 before and what is extremely troublesome to me,  
4 is that when a child runs out of these pride  
5 dollars, every other kid in the class is  
6 forbidden to talk to the B A D, bad child. In  
7 addition, that child who is out of pride  
8 dollars is required to wear an orange shirt all  
9 the length of his punishment so that other  
10 children in the school and in the class know  
11 that they are not allowed to talk to him, and  
12 if the other children in the class talk to the  
13 child wearing the orange shirt, they have pride  
14 dollars deducted from their bank. I have  
15 written a letter to Richard Condon, the Special  
16 Commissioner of Investigation for the  
17 Department of Education, to ask him to  
18 investigate this situation. I have to tell you  
19 that I was a New York City public school  
20 teacher for 25 years and if I had done that in  
21 my classroom, I would have been escorted out of  
22 the school in handcuffs. And I cannot believe  
23 that this has escaped scrutiny by the  
24 Department of Education or that even any  
25

1  
2 charter school or any educator would put forth  
3 a discipline plan like this. I am urging you,  
4 and I know this happened prior to your taking  
5 the reins in Department of Education, but to  
6 me, this amounts to corporal punishment and it  
7 should be forbidden in any school in New York  
8 City. I'd like to have your response, please.

9           LAURA FEIJOO: I'd only like to say  
10 that, charter schools have the ability to  
11 create discipline policies. Our district  
12 schools discipline policy is posted. It's  
13 discussed with parents. It's put out there  
14 every year. It's revised, and we ensure that  
15 our district schools are adhering to that  
16 policy. Charter schools have the ability to  
17 create their own discipline policies, and they  
18 are not only encouraged, but DOE charter  
19 schools certainly there's a different level of  
20 accountability and they need to be published  
21 and transparent to all parents so parents can  
22 make informed decisions about their childs--

23           CHAIRPERSON DROMM: [interposing] But  
24 this is DOE authorized charter school of which  
25

1  
2 you have oversight over. So are you saying that  
3 this discipline policy is okay?

4 LAURA FEIJOO: So--

5 CHAIRPERSON DROMM: [interposing] Let  
6 me read it. Let me read it.

7 LAURA FEIJOO: No--

8 CHAIRPERSON DROMM: [interposing] It  
9 says out of pride. "If serving this  
10 consequence, scholars"--by the way, I love the  
11 use of the word scholars; why we just don't  
12 call them students, I don't know--"will attend  
13 class throughout the day, but will lose the  
14 privilege to enjoy the social elements of Coney  
15 Island Prep. These scholars should not speak to  
16 other scholars except with the permission of a  
17 staff member, usually to complete group work.  
18 Likewise, other scholars should not speak to or  
19 otherwise engage with the scholar without the  
20 explicit direction of a staff member or need to  
21 use common courtesies. Scholars, and this is  
22 underlined and in bold, scholars who engage  
23 with scholars who are out of the pride will  
24 earn an instigating deduction. Scholars who are  
25 out of the pride will wear an orange t-shirt

1  
2 over their uniform which we provide." How nice  
3 that they provide the t-shirt, I have to say.  
4 So I'm asking does your oversight over these  
5 charter schools also allow you to end a  
6 discipline policy such as this, and by the way,  
7 there have been many other examples of similar  
8 discipline policies in other schools throughout  
9 the city. And let me tell you some of them. In  
10 the Anumberg [sp?] Report, which was released  
11 yesterday, just five months ago it was reported  
12 at KIPP Star Washington Heights Charter School  
13 that children as young as five years old were  
14 placed in isolated and padded cool down closets  
15 causing some children to have anxiety attacks.  
16 The school defended the practice, though some  
17 parents withdrew their children from the  
18 school. I can't imagine why. A 2012 report by  
19 the New York Civil Liberties Union found that  
20 some charter schools suspend students at rates  
21 many times higher than the city's traditional  
22 public schools. For example, the report found  
23 that two Brooklyn collegiate charter schools in  
24 the uncommon schools networks suspends students  
25 at 35 and 40 percent rates, respectively.



1  
2 Achievement First, another charter network,  
3 with strict behavior codes suspends four to 18  
4 percent of its students at the city schools,  
5 higher than the average in the regular public  
6 schools. When are we going to get a handle on  
7 these discipline policies?

8           LAURA FEIJOO: So, I'd like to talk  
9 about each one of them if I can. For the Coney  
10 Island charter school, to be perfectly frank, I  
11 did read it in the packet I was handed when I  
12 came here, and it's a DOE authorized charter  
13 school. I will let you know that we will look  
14 into it and I will certainly--

15           CHAIRPERSON DROMM: [interposing]  
16 Well, my question goes even beyond just this  
17 example. This is the one example that I'm aware  
18 of. I gave you a couple of other examples that  
19 the media became aware of. What policies do we  
20 have in place in the DOE to ensure that every  
21 discipline policy in every charter school is  
22 appropriate and sound educational policy?

23           LAURA FEIJOO: The DOE does not have  
24 the authority for non-DOE authorized charter  
25 schools. It's actually in the hands of the

1  
2 Board of Trustees to create a discipline policy  
3 that is aligned with their goals to make it  
4 public to parents and to be able to disseminate  
5 that to ensure that parents are aware of what  
6 the discipline policies are, what the financial  
7 policies are. So for non-DOE authorized charter  
8 schools, it is their decision to be able to do  
9 that, and when complaints come in or issues  
10 come in, or concerns come in, we certainly  
11 address them with the charter school principal  
12 with the Board of Trustees and we escalate it  
13 to the authorizer.

14 CHAIRPERSON DROMM: So I'm going to  
15 ask you, as the Chair of this Committee, to go  
16 back and to report to me on every one of your  
17 69 charter schools on their discipline policies  
18 so that we can be sure. I'm also going to ask  
19 charter schools that are outside of the network  
20 to post their discipline policies online,  
21 because I did a sample survey and was not able  
22 to find many of the outside of the network, of  
23 outside of the DOE school's discipline policies  
24 online as well. This type of a situation is  
25 actually a disgrace and it really has to be

1  
2 dealt with in the firmest terms. Part of the  
3 problem, as you stated correctly, is that the  
4 out of the DOE--the non-DOE authorized charter  
5 schools don't have to have accountability, and  
6 that is exactly why I am holding this hearing  
7 today, because somebody must hold them  
8 accountable for these types of practices.

9 LAURA FEIJOO: Just, they're not  
10 accountable to us. They are accountable--

11 CHAIRPERSON DROMM: [interposing]  
12 Right.

13 LAURA FEIJOO: to their boards and to  
14 the--

15 CHAIRPERSON DROMM: [interposing] So  
16 Coney Island is, and the other 69 are, and  
17 that's why I'd like to get a report on all of  
18 those schools discipline policy.

19 LAURA FEIJOO: I will commit to you  
20 both to look at the 69 schools and the  
21 discipline policies with our team and to talk  
22 about with the Chancellor some of the issues  
23 you raised.

24 LAURIE PRICE: But I do want to add  
25 that all of their discipline policies must be

1  
2 in compliance with State and Federal  
3 regulations around due process and afford  
4 students with special education all of the  
5 additional protections that they are entitled  
6 to, and our office did this fall do a workshop  
7 on discipline and all of the elements that need  
8 to be in a discipline policy for charter  
9 schools.

10 CHAIRPERSON DROMM: So, I am not just  
11 talking about state regs state. I'm talking  
12 about what's developmentally appropriate for  
13 children in our school system, and if charter  
14 schools are in fact public schools, then they  
15 need to have the light of accountability shined  
16 on them so that we know what they're doing in  
17 terms of disciplining our students. If you're  
18 putting kids in a padded room, that's like  
19 solitary confinement, and I just went to  
20 Riker's Island on Monday and I brought five  
21 Council Members with me to see the conditions  
22 there. Very similar to this. If you're talking  
23 about making children stand out by wearing an  
24 orange shirt around the school for a day or two  
25 days, a week, or two weeks, however long the

1  
2 punishment is, to me, that amounts to corporal  
3 punishment. When I was teaching, I was told I  
4 was not allowed to ask children to write a  
5 hundred times, I will learn to behave. That is  
6 considered corporal punishment. How is this any  
7 different? It is your responsibility to ensure  
8 that this does not happen in our public  
9 schools, and as far as the state is concerned,  
10 I urge the State Comptroller, I urge the City  
11 Comptroller to take up this issue and to  
12 investigate every one of our schools. Now that  
13 I have referred it over to the Department of  
14 Investigation, I hope that they will also take  
15 action on this. The problem is, who are they  
16 going to hold accountable? I hope that they  
17 hold accountable the Board of Directors at the  
18 Coney Island Charter School, because they're  
19 the ones who probably should be arrested. And I  
20 would like to know--

21 [applause]

22 CHAIRPERSON DROMM: I would like to  
23 know if any child in any of these schools has  
24 been put through this process.

25

1  
2 LAURA FEIJOO: I can promise you that  
3 I will go back under this administration and  
4 take a look at those policies and report back  
5 to you.

6 CHAIRPERSON DROMM: And just because  
7 I have hit you very hard and I understand  
8 you're new to this role as well, but you know,  
9 these are the major concerns in terms of being  
10 and educator about what's going on in our  
11 schools.

12 LAURA FEIJOO: I understand.

13 CHAIRPERSON DROMM: Discipline in our  
14 schools is first and foremost. We try to build  
15 kids self-esteem and their egos and help them  
16 along the path. By doing this, it's  
17 intimidating. It's singling out students. It's  
18 actually a very grown up way of bullying  
19 students, and I'm sorry it's totally  
20 unacceptable.

21 [applause]

22 CHAIRPERSON DROMM: With that, let me  
23 turn it over to my colleagues. I thank you for  
24 putting up with me, and I'm going to ask  
25

1  
2 Council Member Antonio Reynoso to proceed with  
3 the questioning. Thank you.

4 COUNCIL MEMBER REYNOSO: Thank you,  
5 Chair Dromm for your testimony and everything  
6 you've said so far I think is enlightening.

7 CHAIRPERSON DROMM: I still have to  
8 wear my orange shirt, by the way, until I'm  
9 finished with punishment.

10 COUNCIL MEMBER REYNOSO: So will  
11 refrain from speaking to you moving forward. I  
12 do want to say--I wanted to ask if you guys  
13 know what over-the-counter students are?

14 LAURA FEIJOO: Yes.

15 COUNCIL MEMBER REYNOSO: Are charter  
16 schools allowed to take on over-the-counter  
17 students?

18 LAURA FEIJOO: Charter schools have a  
19 lottery process for which the students are  
20 selected, maybe different process for different  
21 schools, but they do have policies around back  
22 filling students where vacancies exist in the  
23 particular grade. Over-the-counter typically  
24 refers to our regular district schools. When  
25 students come in from other places or move into

1  
2 the city, they're taken to an enrollment center  
3 for over-the-counter registration.

4 COUNCIL MEMBER REYNOSO: So charter  
5 schools do not take over-the-counter students?

6 LAURA FEIJOO: They may. It's based  
7 on their policy. They may take students into  
8 charter schools if vacancies exist, but usually  
9 in the initial enrollment year, there's a  
10 lottery which allows students to gain the most  
11 access.

12 COUNCIL MEMBER REYNOSO: How many  
13 over-the-counter students has a charter school  
14 ever--have charter schools taken on?

15 LAURA FEIJOO: I wouldn't have that  
16 information specifically.

17 COUNCIL MEMBER REYNOSO: Can we get  
18 that number, because from what I know, over  
19 30,000 students all into over-the-counter  
20 category, and I want to know of those students  
21 how many go to charter schools. Can you  
22 describe what over-the-counter means?

23 LAURA FEIJOO: Sure. Yeah, so I just  
24 want to make sure I'm absolutely clear on your  
25 question. So typically, over-the-counter for



1  
2 district schools means that students for a  
3 variety of reasons that don't have a school as  
4 we approach September. So over the summer and  
5 August, either because they're new immigrants  
6 to New York City, because they moved from other  
7 places within the country, if they for some  
8 reason don't have a school because they are  
9 SIFE students, Students with Interrupted Formal  
10 Education. They may have left the system and  
11 then come back. For whatever reason, if a  
12 student does not have a school as we move  
13 towards September or even in September or  
14 October, they can register based on their  
15 residence or our enrollment policies at a New  
16 York City district school, and those students  
17 are considered over-the-counter. Their  
18 registration--they're registering over the  
19 counter rather than by the traditional means  
20 where they articulate from an elementary school  
21 to a middle school or through a high school  
22 process, they articulate from middle school to  
23 high school, and so any one of those new  
24 students coming into our district schools are  
25 considered over-the-counter. I just want to be

1  
2 clear on your question in terms of charter  
3 schools. They have a lottery for their  
4 enrollment period for their incoming grades,  
5 which takes the most seats, and each school  
6 district, charter school may have a policy to  
7 back fill seats. So for whatever reason  
8 students leave or move to other places and they  
9 leave the charter school, they each have  
10 different policies that allow them to fill  
11 those seats.

12 COUNCIL MEMBER REYNOSO: Alright, so  
13 I--

14 LAURA FEIJOO: [interposing] So  
15 those--

16 COUNCIL MEMBER REYNOSO:  
17 [interposing] I have to interrupt you because I  
18 have a limited amount of time and I don't think  
19 you're getting to the point of my question.

20 LAURA FEIJOO: Sorry.

21 COUNCIL MEMBER REYNOSO: I think  
22 over-the-counter students tend to be students  
23 that are struggling or in a position. They  
24 could either be homeless, students from another  
25

1  
2 country or students that tend to be--that  
3 struggle traditionally.

4           LAURA FEIJOO: That's often true.  
5 That's often true.

6           COUNCIL MEMBER REYNOSO: Often, if  
7 not always true. Just want to be clear that  
8 there's a very few that are not. In that case,  
9 these students have to go to public schools.  
10 When they go to public schools, these schools  
11 are burdened with having to take care of  
12 students that are struggling and these public  
13 schools can't turn these students away, and  
14 these students tend to go to schools that are  
15 already struggling, and the burden of educating  
16 these students falls on them. It's a burden  
17 that charter schools do not have to deal with,  
18 because they have a lottery system. I want to--  
19 I'm an ESL student, or I was an ESL student,  
20 and I came in from the Dominican Republic and I  
21 was put in a ESL class. I did--grateful for  
22 the education that I received, my public  
23 schools education that I received, but I do  
24 want to say that I wouldn't have had the  
25 opportunity to go to a charter school under the

1  
2 current circumstances that are put forth. I  
3 think that there's a big problem when we allow  
4 for only our public schools to continue to take  
5 on our struggling students and put the burden  
6 on them to do all the work, and that charter  
7 schools don't need to do it. I also want to  
8 point that ESL students have one year to become  
9 proficient in English, and after that they're  
10 credited to public schools. They need to get a  
11 three, a proficiency level. If not, the  
12 school's grades go down, the testing, it's  
13 brought down. ESL students, to have a child or  
14 anyone or you or anyone of us to have to learn  
15 a language in one year and be proficient I  
16 think is extremely unfair, and it sends the  
17 wrong message to these students that are trying  
18 to learn a new language that they're failures  
19 because they couldn't do it one year, and that  
20 you push for policy that would allow them to  
21 learn the English language in a more  
22 appropriate time line so that they're not  
23 looked at--they don't look at themselves as  
24 failures. Also, there's something else that  
25 charter schools don't need to take on because a

1  
2 lot of these ESL students that come mid school  
3 year from other countries go to only public  
4 schools. We have to stop putting the burden on  
5 only public schools and allow for charter  
6 school to continue to get these amazing grades,  
7 right, regarding what they're doing without  
8 having to take on the burden of dealing with a  
9 lot of these over-the-counter students. I have  
10 legislation in to my colleagues regarding over-  
11 the-counter students that I think would help  
12 build equity in the system, and I hope that the  
13 Department of Education will start looking at  
14 how they're going to distribute the over-the-  
15 counter children throughout every single public  
16 schools including charter schools. Thank you.

17 LAURA FEIJOO: So if I could--

18 LAURIE PRICE: [interposing] I do--

19 LAURA FEIJOO: Go ahead.

20 LAURIE PRICE: I do want to say that  
21 charter schools are bound by law to hold a  
22 lottery and can accept students that come to  
23 them through their lottery, and so there are  
24 many charter schools that choose to back fill  
25 in grades when students do leave, but they are

1  
2 bound to first look at their wait list of  
3 students who applied into the lottery and go  
4 onto the wait list, and I do believe that there  
5 are charter schools that are interested in  
6 figuring out how to give a preference to over-  
7 the-counter students. So there are schools out  
8 there that want to explore that.

9           COUNCIL MEMBER REYNOSO: It's unfair  
10 to judge one school that has to take over-the-  
11 counter students and another school that  
12 doesn't, and use the grades equally. There's  
13 obviously a disparity there. The over-the-  
14 counter kids are students that need assistance  
15 and help, and these public schools are doing  
16 the best they can. Charter schools don't need  
17 to take those kids on. So when you compare the  
18 two schools I think it's unfair, and I just  
19 wanted to note that. And again, English, to  
20 learn English in one year is not reasonable and  
21 you guys are at the state and the city are  
22 asking that that happens, if not, the school  
23 gets a failing grade, or these kids are  
24 considered incompetent--

1  
2 LAURA FEIJOO: [interposing] If I  
3 could take those, the big issue and parcel it  
4 out into three questions I'd just like to talk  
5 about. One is over-the-counter. I do understand  
6 that they're not only charter schools, but they  
7 are also New York City district schools that  
8 have different kind of admissions process. So  
9 it is true that true that we do try to spread  
10 out the over-the-counter students to schools  
11 depending on when the students come in to  
12 schools that have remaining space. I do  
13 understand the issue that you're raising.  
14 You're raising an issue of where is there space  
15 as the school year progresses or as we get  
16 closer to the school year and what schools have  
17 the most seats, and are schools being  
18 overburdened with over-the-counter  
19 registration. The second thing I hear is about  
20 EL's and students--

21 COUNCIL MEMBER REYNOSO:

22 [interposing] The schools that tend to have  
23 more space are schools that are struggling,  
24 right?

25 LAURA FEIJOO: I understand.

1  
2 COUNCIL MEMBER REYNOSO: Right? So  
3 understand that you're giving--

4 LAURA FEIJOO: [interposing] I'm  
5 agreeing--

6 COUNCIL MEMBER REYNOSO: struggling  
7 more students--

8 LAURA FEIJOO: [interposing] I  
9 understand.

10 COUNCIL MEMBER REYNOSO: to have to  
11 take the burden on without giving them more  
12 resources.

13 LAURA FEIJOO: I understand.

14 COUNCIL MEMBER REYNOSO: So that is  
15 an issue that you need to address. You can  
16 explain--

17 LAURA FEIJOO: [interposing] I agree.

18 COUNCIL MEMBER REYNOSO: what the law  
19 is, what the procedure is, what policy is, but  
20 if your policy is not assisting these schools  
21 to succeed and the students to succeed, then  
22 you need to change them and they need to be  
23 looked at, and that's what I'm getting to.

24 [applause]

25



1  
2 CHAIRPERSON DROMM: Alright, and if  
3 we could just hold the applause, folks. I know  
4 I got some applause too and I should have  
5 probably stopped you, but let's hold it,  
6 because we want to get--let's do this, okay?  
7 If you agree, you know. Alright, next Council  
8 Member Steve Levin has some questions as well.

9 COUNCIL MEMBER LEVIN: Thank you,  
10 Mr. Chairman. Just one maybe to drive home one  
11 of the points that Council Member Reynoso is  
12 pointing out. How many homeless children,  
13 children that live in New York City shelters of  
14 which there are 22,000 in New York City, how  
15 many of them go to charter schools?

16 LAURA FEIJOO: I don't have that.

17 LAURIE PRICE: Don't have--

18 LAURA FEIJOO: [interposing] I don't  
19 have that number, but I can get it to you.

20 COUNCIL MEMBER LEVIN: Because we--  
21 because a couple years ago we had a hearing on  
22 this very issue and there doesn't seem to be a  
23 process by which a child that's in a homeless  
24 shelter could get into a charter school. If  
25 they're not there for the--

1  
2 LAURA FEIJOO: [interposing] Lottery.

3 COUNCIL MEMBER LEVIN: for the  
4 lottery period, there's no method by which they  
5 could get into a charter school unless a  
6 charter school opts to do an over, you know,  
7 over-the-counter kids to back fill--

8 LAURA FEIJOO: [interposing] They can  
9 see exists, or they're--

10 COUNCIL MEMBER LEVIN: [interposing]  
11 So we need to know how many children living in  
12 the shelter system of which there are 22,000 in  
13 New York City go to charter school, because I  
14 bet you it's none. I bet you it's none or maybe  
15 a very, very small, small number, an incidental  
16 number, but again, there are 22,000 children in  
17 the New York City shelter system, and very,  
18 very few if any go to the charter school.

19 LAURA FEIJOO: Get you that  
20 information.

21 COUNCIL MEMBER LEVIN: I wanted to  
22 ask--

23 LAURIE PRICE: [interposing] I did--

24 COUNCIL MEMBER LEVIN: [interposing]  
25 about the overall system budget. Okay? So

1  
2 every year we go through this thing where in  
3 the preliminary budget the Department of  
4 Education presents to us a number of what the  
5 charter budget's going to be and then we come  
6 back in the exec in May and it's much, much  
7 higher, tens of millions of dollars higher. Can  
8 you tell me what the executive budget is going  
9 to be for charter schools that's going to come  
10 out in the next couple days?

11 LAURA FEIJOO: Not in advance of the  
12 charter--the budget.

13 COUNCIL MEMBER LEVIN: But it's going  
14 to be in a couple of days.

15 LAURA FEIJOO: We don't have that in  
16 advance of the budget hearing.

17 COUNCIL MEMBER LEVIN: Okay, because  
18 it was--because you--is it going to be higher  
19 than it was at the prelim?

20 LAURIE PRICE: It is based on  
21 projections that we get from the schools, and  
22 so that will include if schools are expanding  
23 grades or if they're phasing in. So it is  
24 possible.

25

1  
2 COUNCIL MEMBER LEVIN: Okay, because  
3 I guarantee you it's going to be 50 to 80  
4 million dollars higher than it was in the  
5 prelim, and I'm going to wait to the exec comes  
6 out in a couple of days, and I guarantee you  
7 it's going to be 50 to 80 million dollars  
8 higher than it was in the preliminary budget,  
9 and that's an unacceptable thing that we do  
10 every year, because what it amounts to is  
11 sneaking money into the charter budget late in  
12 the process. It's happened every year since  
13 I've started paying attention to it. And it's  
14 unacceptable, and what I would like the  
15 Department of Education to do is present to us  
16 a cost analysis for charters for the next five  
17 years, because we--what we don't know and what  
18 I believe DOE does know or should know is what  
19 the charter budget is going to look like in  
20 2017, in 2018 and 2019 and 2020, because right  
21 now it's over a billion dollars. It grows at a  
22 rate of about 20 percent a year. That's  
23 unacceptable. There's no other budget line in  
24 New York City. I understand why. I understand,  
25 because we're paying for the pupils, but

1  
2 there's no other budget line in New York City  
3 in any agency that increases at a rate of 20  
4 percent a year. It doesn't exist anywhere else  
5 in the entire city of New York. There's no  
6 budget line. It's because charters keep on  
7 getting approved, both here and in Albany, and  
8 it's taking resources away from public  
9 education. It's a fixed pot. We have a fixed  
10 amount of money in the system and so it--what I  
11 would like to see from the Department of  
12 Education, I've asked for it before, is a year  
13 over year projection of what charter budget is  
14 going to look like the next five, 10 years  
15 based on the number of schools that have been  
16 approved and the schools that are being  
17 improved annually, because schools have to  
18 build out and so the first year it's going to  
19 be one grade, and the second year it's going to  
20 be two grades, and the third year it's going to  
21 be three grades. That we should be able to  
22 determine on what's already been approved. So  
23 you don't have to answer that because it's a  
24 request. I only have two seconds. I want to ask  
25 one other question. Transportation budget.

1  
2 Transportation budget, the charter school  
3 transportation comes out of the general  
4 education transportation line. Can you tell us  
5 how much money in the transportation budget is  
6 for charter schools?

7           LAURA FEIJOO: So, not on the  
8 transportation budget. I did--I do have a data  
9 point on the 15 new charter schools that will  
10 open and the funding estimate for those  
11 additional schools, which is an estimated  
12 37,713,902 dollars for tuition for those  
13 charter schools. For the per pupil funding  
14 expenditures, we don't have, and for the  
15 transportation, I don't have a particular cost,  
16 but I do have that.

17           COUNCIL MEMBER LEVIN: Because  
18 that's--I'll tell you why it's a concern.  
19 Charter school kids are--they're not--if  
20 they're in elementary school or middle school  
21 they're not necessarily going to their local  
22 school that they can walk to. So children are  
23 entitled to transportation resources,  
24 transportation dollars, transportation  
25 services, and if more children at charter, the

1  
2 higher percentage are using transportation to  
3 get to school because they're not--they don't  
4 live local. They can't walk with their mom and  
5 dad. That resource is coming out of the general  
6 education transportation pot, not the charter  
7 pot. So what I would recommend is  
8 transportation budget for charters should be in  
9 the charter budget. It shouldn't come out of  
10 the transportation budget for general  
11 education. Because unless we're able to  
12 determine how much of the transportation budget  
13 is for charter schools, it should be in a  
14 separate budget line.

15 ELIZABETH ROSE: Thank you.

16 LAURA FEIJOO: So with us, joining us  
17 at the table, we have Elizabeth Rose, she's the  
18 Chief of Staff in the Division of Operations  
19 for the New York City Department of Education,  
20 and she may have some details to clarify some  
21 of that, more than I did.

22 COUNCIL MEMBER LEVIN: Thank you very  
23 much.

24

25

1  
2 ELIZABETH ROSE: I'd just like to add  
3 that Department of Education provides  
4 transportation to all students--

5 CHAIRPERSON DROMM: [interposing]  
6 Excuse me. I have to swear you in, and please  
7 raise your right hand. Do you solemnly tell  
8 the--do you solemnly swear or affirm to tell  
9 the truth, the whole truth and nothing but the  
10 truth and to answer Council Member questions  
11 honestly?

12 ELIZABETH ROSE: I do.

13 CHAIRPERSON DROMM: And state your  
14 name again.

15 ELIZABETH ROSE: I'm Elizabeth Rose.  
16 I am Chief of Staff in the Division of  
17 Operations. Office of Pupil Transportation is  
18 part of the Division of Operations. The  
19 Department of Education provides transportation  
20 services, food services to all public--to all  
21 students. So transportation services are  
22 provided not just to district school students,  
23 charter school students, but also to eligible  
24 non-public school students as well, and it all  
25 comes out of the same pot.



1  
2 COUNCIL MEMBER LEVIN: But it should  
3 be--in order for us to do effective oversight,  
4 it should be broken down into different budget  
5 lines so that we know how much is going to  
6 charters, how much is going to private schools  
7 and how much is going to public schools. That  
8 is something that I think that we have a right  
9 to know and I've asked it for it before, and--

10 LAURA FEIJOO: We'll bring it back  
11 and take it--

12 ELIZABETH ROSE: No, in many cases,  
13 it is an inextricable. We have bus routes that  
14 will serve more than one school. We have bus  
15 routes that on the same buses will have  
16 children attending different schools or have  
17 routes that will drop kids at one school and  
18 then go pick up more kids and take them to a  
19 different school.

20 COUNCIL MEMBER LEVIN: But we could--

21 ELIZABETH ROSE: [interposing] So  
22 they are very intertwined.

23 COUNCIL MEMBER LEVIN: But we could  
24 figure out though, if you were to say, to take  
25 all the children that are enrolled in charter

1  
2 schools, of which it's a finite amount. We know  
3 which children enrolled in charter schools and  
4 say which ones are taking the bus, then we  
5 could be able to--we would be able to determine  
6 how many children in New York City that are  
7 taking the bus go to charter schools. We could  
8 do it--

9 LAURA FEIJOO: [interposing]

10 Certainly--

11 COUNCIL MEMBER LEVIN: [interposing]

12 There's got to be a methodology by which we  
13 could determine how many kids going to charter  
14 schools are taking the bus, and then extricate  
15 from that how much its costing, because it's  
16 all going--the reason being that it's a hidden  
17 cost of charter schools. That's what I'm trying  
18 to get at here. It's a cost of charter schools  
19 that's not in the charter school budget. So--

20 LAURA FEIJOO: [interposing]

21 Certainly--

22 CHAIRPERSON DROMM: [interposing]

23 Thank you, Steve. Okay. So point well taken.  
24 We're going to look at that as we move forward  
25 into our executive budget sessions as well and

1  
2 we will revisit that issue again. I agree and  
3 support you on that issue.

4 COUNCIL MEMBER LEVIN: Thank you, Mr.  
5 Chair. Thank you very much for your--

6 CHAIRPERSON DROMM: [interposing]  
7 We're also now going to hear from Public  
8 Advocate Tish [sic] James who has some  
9 questions.

10 PUBLIC ADVOCATE JAMES: So let me--I  
11 was not prepared to ask any questions, but  
12 after the testimony of the Chair, I'm really,  
13 really disturbed about what was uncovered. And  
14 so let me just say this, that I have always  
15 opposed and abhor the privatization of public  
16 schools, and what I'm seeing more and more is  
17 the privatization of public schools, which to  
18 me really undermines equality and clearly what  
19 was evidenced earlier suggests that equality is  
20 undermined as a result of children being  
21 singled out and carrying a scarlet letters in  
22 the city of New York, and I refuse to accept  
23 any or support state sponsored, local  
24 government sponsored segregation. And if we are  
25 supporting a system which leads to segregation

1  
2 of children, be they homeless, English language  
3 learners or special needs children, we need to  
4 dismantle that system, and all children really  
5 need to have quality education and there needs  
6 to be--thank you--one standard. And so what you  
7 said earlier in your exchange with the Chair  
8 was, there's a different level of  
9 accountability. There should not be a different  
10 level of accountability. There should be  
11 consistency in the system applied to all  
12 schools. And so the lack of--and I think I  
13 guess what bothers me most is the lack of  
14 transparency and accountability in regards to  
15 the lottery, the discipline system, and just  
16 how children are treated in the city of New  
17 York, particularly children who have been  
18 ignored, the vulnerable, ELL children, special  
19 needs children and homeless children. I was  
20 elected Public Advocate because I'm going to  
21 stand up for the voiceless, and I tell you now,  
22 although I support this Administration and I  
23 apologize for the tone of my voice, and I know  
24 that you have inherited this system which is  
25 unfortunately not of your own making, but we

1  
2 cannot continue a system which allows  
3 segregation and which treats children  
4 differently. I will not have it. I will sue to  
5 the Supreme Court of the United States, and  
6 particularly since we're about to celebrate the  
7 60<sup>th</sup> anniversary of Brown versus Board of  
8 Education. I'm just really disturbed by what  
9 I'm hearing today as a result of the school in  
10 Coney Island, and I've heard story after story,  
11 when I met with all of the CEC's in New York  
12 City when I considered filing the lawsuit about  
13 this despair treatment in the city of New York.  
14 I would hope, notwithstanding the law because  
15 the law is the law, but you have got to make  
16 sure that there is accountability and review  
17 the policies of these charter schools and make  
18 sure that there is consistency in the system in  
19 the city of New York. That's really what I  
20 wanted to say, and I thank the Chair for  
21 allowing me to say a few words, because I'm not  
22 prepared to abandon equality, not now, not  
23 ever. Thank you.

24

25

1  
2 CHAIRPERSON DROMM: Thank you, Madam  
3 Public Advocate. We'll now turn to Council  
4 Member Mark Levine for questions.

5 COUNCIL MEMBER LEVINE: Thank you,  
6 Chair Dromm. I just want to make a point that  
7 I've heard from a number of parents of charter  
8 school students and some students themselves  
9 that with the heated nature of the rhetoric on  
10 this issue in recent months, since some of them  
11 have themselves felt demonized for sending  
12 their child to a charter school, that they've  
13 done something wrong, and I want to strongly  
14 counter that notion. We have a lot of big  
15 debates among the grownups here and some very  
16 tough questions to ask and answer on charter  
17 schools, but the families and their children  
18 have done nothing other than try and choose the  
19 best education for their kids. We hope in some  
20 cases they're succeeding. But our role here is  
21 to advocate for the kids, period, and as the  
22 Mayor very powerfully has stated, we care about  
23 every single child in the system, every single  
24 child in the city no matter what kind of school  
25 they go to. Ninety-four percent of the kids

1  
2 happen to go to traditional schools, and so 94  
3 percent of our resources and energy should go  
4 towards serving them, but that doesn't mean  
5 that we disregard the interest of the six  
6 percent in the charter schools. In fact, I  
7 think many of our questions today are or should  
8 be directed at making sure that young people in  
9 charter schools are being well-served. It's a  
10 critical question to answer. We also have to  
11 answer questions about impact on kids at  
12 traditional schools and co-location situations.  
13 Again, it's about the good of kids, whatever  
14 school they're in. So I have a couple questions  
15 along this line. The basic proposition of  
16 charter schools is that they're serving a broad  
17 cross-section of students. That's why we have a  
18 lottery system, but to determine to what extent  
19 that's really happening, we have to understand  
20 questions about attrition rate, questions about  
21 the pace of back filling and other related  
22 matters. And I see you say in your remarks  
23 you're collecting data on this factor. So can  
24 you tell us what are the attrition rates for  
25 charter schools? How do they compare to the

1  
2 attrition rates more broadly in the system? To  
3 what extent is there differentials among  
4 charter schools and the rate of attrition, and  
5 how do you and how do charter schools define  
6 attrition? After all, this is a somewhat fuzzy  
7 area. Does a child who move out of state, is  
8 that counted towards attrition? Is a child who  
9 moves to another borough counted towards  
10 attrition? It's really critical that we  
11 understand this issue, to understand whether  
12 charters are serving a broad cross-section of  
13 children.

14           LAURA FEIJOO: So I just want to  
15 start by agreeing with you that we are very  
16 focused in this Administration under the  
17 Chancellor and our current Mayor to look at all  
18 schools and all students in figuring out how we  
19 can best serve every single student in New York  
20 City, and so I hear everyone's concerns, and  
21 certainly there are things we're engaged in,  
22 including consolidating the Office of New  
23 School Design and Charter Partnerships so we  
24 can better learn from one another how can we  
25 best address every single innovation in schools



1  
2 and share that practice broadly. And so I do  
3 want to say that in terms of attrition rates,  
4 the schools that are in our DOE authorized  
5 charter schools report to us information that  
6 non-DOE authorized charter schools from SUNY  
7 and State Education Department do not report to  
8 us. And so to give you an attrition factor is  
9 different for those schools. Did you have the  
10 rate? [off mic]

11 COUNCIL MEMBER LEVINE: So you're  
12 going to offer them for the schools that are  
13 under DOE supervision?

14 LAURA FEIJOO: So the schools that  
15 are under DOE supervision, we do monitor that  
16 data. We do look at it. We look at it for  
17 renewals. We monitor it on a consistent basis,  
18 and if there's a discrepancy in terms of  
19 students or what was referred to before, any  
20 category of students or complaints from  
21 parents, we do review those situations, talk to  
22 the charter schools, talk to the Board of  
23 Trustees in order to ensure that that's not  
24 happening. We have to do, I think, a better job  
25 of probably recruiting more ELLs into these

1  
2 schools and finding opportunities to bring  
3 students in, but certainly we monitor that data  
4 and those numbers for the DOE authorized  
5 charter schools.

6 COUNCIL MEMBER LEVINE: Right, but  
7 I'm sorry, I wasn't hearing an answer her. So  
8 what is the attrition rate system wide, and  
9 what is it for those schools, charter schools  
10 that you're collecting data from?

11 LAURIE PRICE: So what--in the  
12 numbers that we have for the 11 and 12 school  
13 year show that district versus charter there  
14 were 4.1 percent transfers city wide and that  
15 that transfer rate for charters was lower  
16 actually at 3.2 percent. In addition, we looked  
17 at the rate for students who have IEPs. There  
18 was a seven percent rate for charter schools  
19 and eight percent transfer rate city wide. And  
20 so you know, we hear a lot of the stories and  
21 as soon as--I'd actually like to take this  
22 opportunity to explain to the community and ask  
23 the community if you have--if you are  
24 experiencing and issue with a charter school to  
25 please reach out to our office, because we take

1  
2 those very seriously and we investigate them  
3 immediately. But when we look at the overall  
4 data--

5 COUNCIL MEMBER LEVINE: [interposing]  
6 I hear you. I want to jump in because time is  
7 ticking. Do you not have data? Do you have  
8 data on relative transfer rates for ELLs?

9 LAURIE PRICE: I don't have that.

10 COUNCIL MEMBER LEVINE: And I think a  
11 critical point here is I'm not mistaken,  
12 charters are self-defining what they call a  
13 transfer, correct? So--

14 LAURIE PRICE: [interposing] No,  
15 these are from business rules that we created.

16 COUNCIL MEMBER LEVINE: SO they have  
17 to follow your rules on whether, or move out of  
18 state for example--

19 LAURIE PRICE: [interposing] In our  
20 numbers we defined what we're accounting as a  
21 student leaving or not a student leaving.

22 LAURA FEIJOO: They're required to  
23 provide discharge codes, and based on those  
24 codes we determine which ones we consider  
25 attrition rates and transfers, which would be

1  
2 differently categorized out of state than was  
3 to another New York City--

4 COUNCIL MEMBER LEVINE: [interposing]

5 And to what extent do you see disparities among  
6 charter schools? Are there some that have very  
7 high transfer rates and some that have very  
8 low?

9 LAURIE PRICE: Yeah, within--I mean,  
10 you know, with 183 schools, there's always  
11 going to be a huge range and that range is  
12 clear even with the percent of special  
13 education students.

14 COUNCIL MEMBER LEVINE: And what  
15 happens when you find a schools that's  
16 discharging at unacceptably high--is there even  
17 such a thing in your eyes as an unacceptably  
18 high rate of discharge and what would that rate  
19 be?

20 LAURIE PRICE: So for the schools  
21 that we authorize, we will follow up when we  
22 see a number that we think that is concerning,  
23 we will follow up immediately.

24 COUNCIL MEMBER LEVINE: And what  
25 would a number that's concerning be?

1  
2 LAURIE PRICE: It really depends on  
3 the situation.

4 COUNCIL MEMBER LEVINE: Have--

5 LAURA FEIJOO: [interposing] I think  
6 it also depends on the time of year where  
7 students are transferring, maybe in June or  
8 September, differently than across the course  
9 of the school.

10 COUNCIL MEMBER LEVINE: And have you  
11 ever taken action against a charter for having  
12 an unacceptably high discharge rate?

13 LAURIE PRICE: We have had several  
14 schools that have been on a notice of concern  
15 or a notice of probation because of not being  
16 able to meet their enrollment target and for  
17 high discharge numbers, yes.

18 COUNCIL MEMBER LEVINE: If the Chair  
19 will allow me one overtime question. Back  
20 filling is another related and critical  
21 question. Can you give us rates on backfilling  
22 in the system versus charters?

23 LAURIE PRICE: So backfilling, so we--  
24 -I don't have that number for you. It will be  
25 difficult for us because schools may not regard

1  
2 it as--we can get it for DOE authorized charter  
3 schools, which schools backfill and at what  
4 grades they backfill. For schools that we don't  
5 authorize, we don't have that data.

6           LAURA FEIJOO: But I also want to say  
7 to the over-the-counter question, it's  
8 different for district schools than it is for  
9 charter schools. Many of our district schools  
10 don't have special policies or lotteries or  
11 other ways in which they get in. On the charter  
12 school side, we certainly--schools have  
13 policies for backfilling those vacancies  
14 different than district schools where they may  
15 have an admission policy that doesn't allow any  
16 students to get in because of their admission  
17 policy.

18           COUNCIL MEMBER LEVINE: But for some  
19 charters it's not a question of how they  
20 backfill. Some are refusing to backfill,  
21 period, after a very early grade, which is  
22 narrowing down the field of students they're  
23 serving, a luxury that most schools in the city  
24 don't have, correct?

1  
2 LAURIE PRICE: Most schools in the  
3 city don't--

4 COUNCIL MEMBER LEVINE: [interposing]  
5 but--

6 LAURIE PRICE: [interposing] But  
7 along with that I do want to highlight that  
8 about 50 percent of charter schools have  
9 preferences in their lottery for students  
10 beyond just the sibling preference and the CSD  
11 preference, preferences for students with  
12 disabilities, preferences for students who are  
13 designated as ELL. And we actually have several  
14 schools that give preferences to students who  
15 are in the foster care system, the child  
16 welfare system, or who are at risk for  
17 homelessness.

18 COUNCIL MEMBER LEVINE: But do you  
19 consider acceptable for a charter school to  
20 allow no backfilling after a very early grade?

21 LAURIE PRICE: They are autonomous  
22 organizations and so if that is part of their  
23 charter, that is--they--

24  
25

1  
2 COUNCIL MEMBER LEVINE: [interposing]  
3 I think we need to--I think we need to have a  
4 policy on that. Thank you.

5 CHAIRPERSON DROMM: Okay, thank you.  
6 And before we go to our next speaker, I do want  
7 to introduce some children, some students who  
8 have joined us. I asked them to come on in for  
9 a moment. Come on in students. These are  
10 students from the Bronx Charter School for  
11 Excellence. I want to welcome them to the City  
12 Council. Let's give them a round of applause.

13 [applause]

14 CHAIRPERSON DROMM: And I hope that  
15 you have all been enjoying your tour. I used to  
16 be a teacher. I used to teach fourth grade.  
17 What grade do we have there today? Fourth  
18 grade, so this is perfect education for you  
19 guys. Well, welcome and thank you for coming  
20 and we hope you enjoyed your tour. Okay? Thank  
21 you students very much. Alright, thank you.  
22 Alright and then we're going to continue  
23 questioning with questions from my colleague  
24 Mark Treyger from Coney Island.



1  
2 COUNCIL MEMBER TREYGER: Thank you,  
3 Chair Dromm, and I want to echo the outrage of  
4 the Chair, because this is a school that is in  
5 my district, and I just want the DOE to  
6 understand the impact on what is decided from  
7 your agency, whether you have power over this  
8 or not, understand that this is just one of the  
9 many outrages that goes on. Coney Island Prep  
10 is located in IS 303, where there's another  
11 school in there. The children of Coney Island  
12 Prep are served organic lunches. That is not  
13 the case of the other schools in the building.  
14 They have state of the art technology. That is  
15 not the case in the other schools in the  
16 building. If we are about ending a tale of two  
17 cities, let's begin at IS 303. And I also want  
18 to say that there are public schools in Coney  
19 Island that are still dealing with the  
20 aftermath of Sandy. There's a school, PS 90  
21 that still has its fire alarm system broken,  
22 and what they're doing to address it is  
23 outrageous and against state law. They have  
24 someone sitting in the hallway with a whistle,  
25 and if they smell smoke or fire they have to

1  
2 blow the whistle. That is shameful. That is  
3 shameful and illegal. The DOE has to understand  
4 the impact of what this has on families, all  
5 children and all parents in all communities.  
6 Now, in the testimony, I heard or I read but,  
7 "We must keep in mind why charter schools were  
8 created, to act as laboratories of  
9 experimentation in education with the mission  
10 of bringing best practices to traditional  
11 schools so every child can benefit." Does the  
12 DOE have any data? Have charter school  
13 improved the performance of neighboring  
14 district schools if that was their intent?

15 LAURA FEIJOO: Each--we do have  
16 sharing best practices. It's very hard to  
17 determine impact when the--of the practice. We  
18 can share the practice. We can share the work  
19 that we're doing, and I think I testified to at  
20 least one or two different ways that we're  
21 sharing that. The Learning Partners Program is  
22 one up and coming. The New York City Charter  
23 Office creates partnerships, but the impact of  
24 learning has to do with the test, the  
25 curriculum, the teachers and all the work we do

1  
2 inside of district schools to improve  
3 instruction. And so that cause/effect analysis  
4 is hard to decipher, but we do think sharing  
5 best practices along the lines of Chancellor  
6 Farina is a way that we're supporting  
7 innovation in schools.

8 COUNCIL MEMBER TREYGER: With all due  
9 respect, all we've seen is more closing of  
10 traditional public schools. We've seen more co-  
11 locations. It seems to me that the charter  
12 schools have not improved the performance of  
13 adjacent or neighboring district schools.

14 LAURA FEIJOO: I will say that this  
15 Administration is absolutely committed at  
16 community, committed to community, and ensuring  
17 that we're talking to communities about their  
18 needs and their desires for their schools and  
19 working through that.

20 COUNCIL MEMBER TREYGER: Now, can  
21 district schools self-certify that they're  
22 doing well just like charter schools can?

23 LAURA FEIJOO: So there are  
24 accountability measures for both charter  
25 schools and district schools. They may not be

1  
2 exactly the same, but there are accountability  
3 that force students and their test scores and  
4 their outcomes--

5 COUNCIL MEMBER TREYGER:

6 [interposing] I just want to--I shared this  
7 story outside and its worth repeating here, and  
8 I just--it's really important that we  
9 understand this. There's a high school in South  
10 Brooklyn called Grady High School.

11 LAURA FEIJOO: I know it well.

12 COUNCIL MEMBER TREYGER: And this  
13 story is so powerful that everyone really need  
14 to hear it and process and understand this,  
15 that 700 students, most of them have IEPs, most  
16 of them from Coney Island, and the previous  
17 admin--again, this was the previous  
18 Administration. The Deputy Chancellor Mark  
19 Sternberg [sp?] had a surprise visit to the  
20 school and he was taken to a room where the  
21 kids supposedly with special needs were  
22 building a home, working cooperatively, working  
23 with adults, working with staff building a  
24 house, and he had the audacity to tell the  
25 school leaders that their school was

1  
2 ineffective, because their numbers were not  
3 that great. I want to see Mark Sternberg build  
4 a house with his hands. I want to see anyone in  
5 the DOE build a house with their hands because  
6 I guarantee you if they went to Grady, they'd  
7 be listed as a kid with special needs. That,  
8 you know, we have to be honest about this. We  
9 have children who are listed with IEPs who in  
10 my opinion are not special needs, they're  
11 specially talented and their talents have not  
12 been brought out by a system that does not  
13 measure that talent. That is the problem. It's  
14 all how you measure success, and if you design  
15 a system that's designed to fail, obviously  
16 you're going to have failing schools.

17                   LAURA FEIJOO: So if I can just say  
18 that--

19                   COUNCIL MEMBER TREYGER:  
20 [interposing] Please.

21                   LAURA FEIJOO: We certainly  
22 appreciate and support and believe in career  
23 and technical education. Former Principal  
24 Maione will--

25

COUNCIL MEMBER TREYGER:

[interposing] Yes.

LAURA FEIJOO: will not give us a restful moment if we don't.

COUNCIL MEMBER TREYGER: Right.

LAURA FEIJOO: As one of the examples, just one of the examples of passionate individuals in education that believe in career and technical education as an additional component to students' academic education, and so I understand your concern and working very closely with the school to think about how the admission process to Grady can better support students who are interested in going there, and so I just want to say I completely understand the CTE school. I also want to say you mentioned PS 90 and Principal Hawkins [sp?] and certainly if this is an issue in terms of fire codes and bells and things, I'm certainly--we can look at--we're absolutely going to look into it. The fire watch is completely in compliance based on law. I understand your concern. I am not--

COUNCIL MEMBER TREYGER:

[interposing] It's outrageous. Ma'am, with all due respect it's outrageous.

LAURA FEIJOO: I understand.

COUNCIL MEMBER TREYGER: To have someone in a hallway with a whistle, okay? Could you imagine blowing a whistle at children with autism, what that can do? It's just not acceptable.

LAURA FEIJOO: I understand what you're saying. There is a safety plan in place. There is--what we can do is continue to review and monitor the situation. It's not something we're not aware of. We are aware of it and we will continue to work with the principal in the school to see how we can upgrade the system, but it is an old school building and a difficult--

COUNCIL MEMBER TREYGER:

[interposing] That's been damaged by Sandy 18 months, and it's time that we really get a move--I have one last question, Chair.

LAURA FEIJOO: Sure.

1  
2 COUNCIL MEMBER TREYGER: And I will  
3 close with this. You mentioned in your  
4 testimony, I just want to make sure that I get  
5 it right, that the process to grant a charter  
6 renewal, it's a two day visit, a public  
7 hearing, parent outreach and so forth. Now,  
8 there's a Success Academy, there was an  
9 application that was rushed at the end of last  
10 year into Seth Low IS 96 which is in  
11 Bensonhurst. I just want to tell you that not  
12 once did anyone from Success Academy come to  
13 any of the public hearings. So you had  
14 concerned residents, parents, educators,  
15 children stakeholders speaking to themselves.  
16 So we argued to the SUNY Chancellor who was the  
17 authorizer of this, that this was not a  
18 hearing, this was a soliloquy. So I ask you,  
19 how does the DOE define a public hearing,  
20 because we were never granted one in  
21 Bensonhurst with regards to IS 96?

22 LAURA FEIJOO: For that particular  
23 school, it's the authorizer. We hold the  
24 hearings. We organize the hearings. Part of our  
25 responsibility is to create the opportunity for



1  
2 the hearing, but we do not have authority to  
3 ensure that any individuals are there beyond  
4 set up and notify the public.

5 COUNCIL MEMBER TREYGER: Well, I have  
6 to tell you that SUNY disagrees with you  
7 because they sent a response to our letter  
8 asking for an investigation of that supposed  
9 sham of a hearing, and they said it was up to  
10 the DOE to put together the hearing, and that  
11 they collect comments from the DOE.

12 LAURIE PRICE: We do certainly do put  
13 together the hearing and we certainly do  
14 collect all the comments.

15 COUNCIL MEMBER TREYGER: But it  
16 wasn't a hearing, ma'am. That's my point. It  
17 was a soliloquy. We were talking to ourselves.  
18 And they also planned the hearings on Jewish  
19 holidays which is absolutely outrageous and  
20 disrespectful weaving out large segments of the  
21 population. We were never granted an  
22 opportunity to speak with people from Success  
23 to discuss concerns and issues. So how are we  
24 supposed to--what are we supposed to expect  
25 about the future of that co-location when we've

1  
2 time and time again reach out to the DOE and  
3 granted, this was the previous Administration  
4 and I fully understand that, but let's not--if  
5 the process was flawed, clearly the product is  
6 going to be flawed. We need to go back to  
7 square one and readdress this issue, and I will  
8 hold, reserve my comments second round. Thank  
9 you, Chair.

10 LAURA FEIJOO: Thank you.

11 CHAIRPERSON DROMM: Well, thank you,  
12 Council Member. And I want to say that it's,  
13 you know, not surprising that Success Academy  
14 didn't show up for that hearing, but they're  
15 not here for this hearing as far as I can tell  
16 either, and I guess that they just don't want  
17 to have any public scrutiny whatsoever. So they  
18 seem to be avoiding a lot of public hearings,  
19 but I also want to caution you and the DOE as  
20 well. I don't know if we should take any of the  
21 policies that Coney Island Prep has in practice  
22 and share with them anybody to be honest with  
23 you, in light of what we know today about the  
24 discipline policies. So I would really ask you  
25 to hold off on sharing any of those policies

1  
2 with anybody until we further investigate this  
3 situation.

4           LAURA FEIJOO: We did say best  
5 practices.

6           CHAIRPERSON DROMM: Well, whatever.  
7 Best practices or policies, I don't know what's  
8 going on in that school and if they have a  
9 discipline policy like that, my goodness what  
10 else can they share? I tell you what they  
11 could share, the lunch. That would be great if  
12 they'd share the lunch with us, you know.  
13 Organic food, I'll take that anytime. Alright.  
14 Thank you. Next Council Member is Council  
15 Member Ruben Wills.

16           COUNCIL MEMBER WILLS: Thank you,  
17 Mr. Chair. I had a whole bunch of things, a  
18 litany of things that I was going to go over,  
19 but I just want to thank you for coming in  
20 today and answering your testimony. I know it  
21 got heated, but I keep hearing my grandmother's  
22 voice, "If you don't have anything nice to say  
23 don't say anything." So, and it's not directed  
24 towards you, but I just really am not happy  
25 with policy right now. So with that being said,

1  
2 Mr. Chair, I will yield the rest of my time and  
3 I thank you for giving me the opportunity.

4 CHAIRPERSON DROMM: Thank you,  
5 Council Member Wills. Council Member Williams?

6 COUNCIL MEMBER WILLIAMS: Thank you,  
7 Mr. Chair, and thank you for holding this  
8 hearing. Thank you very much for your  
9 testimony. I--so, I always try to think about  
10 things in terms of me, my friends when I was  
11 growing up, and I always say I know it's very  
12 hard for people to believe, but I was a bit of  
13 troublemaker in school. If I went to that  
14 school, I would have a uniform of orange  
15 shirts. That's what would be going on, and  
16 thankfully, shot out to Ms. Jeanie Ned [sp?] my  
17 fifth grade school teacher who took a  
18 particular interest. Back then there was  
19 teachers allowed to be creative with the  
20 trouble makers. My mother, Patricia Williams,  
21 was very much involved, and that concerns me  
22 about where I would have been had I not certain  
23 opportunities, and I always ask if the  
24 Administration believe, particularly when I'm  
25 dealing with education or NYPD, do we believe

1  
2 that black and brown kids are uneducable and  
3 born prone to crime, and the answer's always  
4 no, but the statistics of the system we allow  
5 them to be in bears something else out. So  
6 something is wrong. I'm not against charter  
7 schools and I never have been. I am--have been  
8 against from day one how this administration  
9 has used charter schools. It's very frustrating  
10 to me. I don't really understand what it is,  
11 except if they just want to give people some  
12 money, and so when we try to clamp down on  
13 things, I saw Eva Moskowitz [sp?] and Success  
14 Academy and some other folks put a lot of black  
15 and brown kids on TV as if that was what this  
16 was all about to begin with, and I don't think  
17 that's 100 percent accurate. Maybe it is  
18 inaccurate, but I think the use of it was very  
19 strange to me, because we're trying to make  
20 sure that all kids have this opportunity and  
21 seems to me if we're going to throw gold dust  
22 up in the air and say if catch it, you're good,  
23 and if you don't, well too bad is a problem. So  
24 I've been hearing this line about what charter  
25 school were supposed to be, and I agree with

1  
2 having laboratories, it's probably a bad word,  
3 but I believe in having spaces that we can be  
4 creative in trying to reach people. My question  
5 has always been what have we learned thus far?  
6 I've never gotten an answer to that. And how  
7 are we bringing that to the rest of the  
8 population? So if you can give me an  
9 indication, like what the city has learned so  
10 far about charter schools, about best  
11 practices, and what is the venue to get that to  
12 all of the young people who may not be in  
13 charter schools so they can benefit from it as  
14 well?

15 CHAIRPERSON DROMM: And if I just may  
16 add to the Council Member's question because  
17 it's related. In 2010, I believe the Chancellor  
18 put out the District Charter Collaboration  
19 Compact. If you could address how that compact  
20 is meeting the requirements stated therein that  
21 holding an annual shared practices summit, how  
22 you're meeting that and the collaborative  
23 approaches that the Chancellor has been  
24 speaking about, how is that all intertwined in  
25

1  
2 addition to the Council Member's question? I'd  
3 appreciate it. Thank you.

4           LAURA FEIJOO: Sure. So I have some  
5 examples of ways in which the Hellenic  
6 Classical Charter School, the instruction  
7 supplemented in Greek in language history and  
8 culture is one of the ways we think about dual-

9 -

10           COUNCIL MEMBER WILLIAMS:

11 [interposing] I'm sorry, can you say it again?

12           LAURA FEIJOO: Sure. So some examples  
13 that I brought with me in terms of some of the  
14 innovative things charter schools may be doing  
15 to address the first question, I can cite the  
16 Hellenic Classical Charter School that has  
17 instruction supplemented in Greek and language,  
18 language and history, and some of our district  
19 schools are also working on dual language  
20 programs and ways in which language influence  
21 our understanding of history and culture.  
22 French American Charter school is another  
23 example, and certainly district schools are  
24 also collaborating on that. There are some  
25 particular schools that have extended school

1  
2 day, extended school year and time for  
3 additional arts programs because they have that  
4 additional time to work through the things, and  
5 those are things we look at in terms of what  
6 they're able to accomplish in that extra time,  
7 both extended time during the day and extended  
8 school year. To the dissemination information,  
9 the New York School Charter Dissemination Grant  
10 does provide funds to support the dissemination  
11 of information. I don't know if you--

12 LAURIE PRICE: Yeah, the  
13 dissemination grants encouraged charter schools  
14 to find specific partner schools, partner  
15 district schools, and for the charter school to  
16 say, okay, we're strong in this and we are  
17 going to work with this district to be able to  
18 share--

19 COUNCIL MEMBER WILLIAMS:  
20 [interposing] What is--I'm putting the onus on  
21 DOE. What is DOE doing to get that  
22 information?

23 LAURA FEIJOO: So under our  
24 Chancellor who is an educator who is incredibly  
25 committed to ensuring that every student has



1  
2 the same opportunity and access, she's created  
3 the Learning Partner's Program that is an  
4 attempt to do exactly this idea of  
5 disseminating information to other schools  
6 based on a selection of individual schools that  
7 are district schools and later to join with the  
8 charter school partners to be able to learn  
9 from exemplary practices inside of these  
10 schools. And so that is one of the things  
11 moving forward in addition to what I mentioned  
12 before in terms of the New Office New School  
13 Design and Charter Partnerships, how merging  
14 two former offices that were separate are going  
15 to come together to say, "You're new schools.  
16 You're developing practices. How can we  
17 absolutely work together to assure alignment in  
18 terms of sharing best practices and what does  
19 that mean for the rest of the field?"

20 COUNCIL MEMBER WILLIAMS: So just to,  
21 I guess, piggyback on something that Council  
22 Member Treyger was saying as well, is it the  
23 Administration's belief that this experiment  
24 has worked? Are charter schools educating our  
25

1  
2 young people better than regular public  
3 schools?

4           LAURA FEIJOO: I can't make that  
5 characterization that all charters and all  
6 district schools. I think that some schools,  
7 either--in either case, charter or district do  
8 a really good job of educating our students,  
9 and their outcomes are available and we can  
10 look at them and point to them, and some may  
11 not be, and that's why we put them on notice of  
12 either probation or disciplinary deficiency  
13 notices, both for district schools in way and  
14 charter schools for another. So I think that  
15 that's something we're really looking at in  
16 terms of who's serving our students best, all  
17 of our students, and how do we share those best  
18 practices, and how do we mitigate some of the  
19 things that were mentioned before that we  
20 really don't think are things that we want to  
21 see in our schools for our students.

22           COUNCIL MEMBER WILLIAMS: So there  
23 are some charter schools that shouldn't be  
24 opened, and then some districts that shouldn't-

1  
2 LAURA FEIJOO: [interposing] We  
3 review them every single year, and at this  
4 moment, there are only two schools that are  
5 under a notice. The other schools in terms of  
6 charter--

7 COUNCIL MEMBER WILLIAMS:

8 [interposing] Because it just seems to me,  
9 however we slice this the poorer the  
10 neighborhood the darker the complexion of the  
11 kids, they're probably in schools that are not  
12 performing properly and don't have teachers who  
13 are able to do that. They're not getting extra  
14 activities. They're not getting cultural stuff.  
15 They're not getting PAL sports. So all of these  
16 things are hampering us, and then you go to the  
17 charter school they may open up and they have--  
18 they're flourishing and doing well. I'm trying  
19 to see how we deal with that. Co-locations, by  
20 the way, should have just been a moratorium,  
21 period. I don't understand why we didn't have a  
22 moratorium, because we're setting up--we're not  
23 taking away the tale of two cities, we're  
24 exemplifying it by having a building that has  
25 one side not getting much of anything and the

1  
2 other one getting organic lunches. And so that,  
3 I have been against from the beginning unless  
4 the principal was supportive of it, and there  
5 are some that are supporting co-location, but  
6 forced co-locations are just a terrible idea.  
7 So I hope there will be a moratorium until we  
8 can find some policies that make sense.

9           LAURA FEIJOO: So we're absolutely  
10 looking at every single new space and working  
11 with the community. Our new office has gone out  
12 to communities to talk to them about what they  
13 might need in areas that we are putting new  
14 small schools in for next year. I do want to  
15 say that I understand the issue you're raising  
16 in terms of communities and how some  
17 communities are serving students differently,  
18 but in every one of those there are great cases  
19 of schools that are serving students really  
20 well, and some we absolutely have to take next  
21 steps on to serve both district and charter.

22           COUNCIL MEMBER WILLS: Great, I just--  
23 --and thank you, Mr. Chair. We--like whatever  
24 we're doing is not working fully, and I keep  
25 hearing that there are schools that are

1  
2 working. I don't know why it's so difficult to  
3 figure out what's causing those schools to  
4 work, and let's bring it to everybody. And it  
5 can't be just money, because you could throw a  
6 lot of money at everything and it doesn't  
7 necessarily help.

8           LAURA FEIJOO: Right.

9           COUNCIL MEMBER WILLIAMS: What is the  
10 hampering to figure out if it's a charter  
11 school, if it's a regular school, what's  
12 working, let's bring it to the rest of the  
13 schools, because the problem that charter  
14 schools I have, one beside the forced location,  
15 the first co-location and is the cherry picking  
16 and it does happen. And the suspension rates  
17 are high, and I'm not mad at parents who are  
18 trying to get the best education for their  
19 child, which they should, but this is setting  
20 up parents against parents as well. I just said  
21 a lot of things, I understand, but it's a  
22 frustrating thing. Like we have--we know what  
23 works. What is the hampering of putting that  
24 across the board? Why are there regular  
25 schools that don't have any arts and culture?

1  
2 Why are there regular schools that don't have  
3 any athletic programs or any after school  
4 programs? Why are there schools that don't  
5 have teachers unnecessarily up to par? Why are  
6 the schools--I mean there's just a tremendous  
7 problem. You got schools that are falling  
8 apart. You can't go to the bathrooms. Like this  
9 is a problem. Let's just fix it. And these  
10 charter school, whatever, experiment whatever,  
11 but it's causing another problem. So we're  
12 setting a problem on top of a problem. And I  
13 don't understand. Like we have enough  
14 information now. And so I heard your answer.  
15 I'm not persuaded by it. I don't think it's  
16 been fully thought out about what's working  
17 with the charters, and I don't think it's fully  
18 thought out about how to bring that to the rest  
19 of the population. Until that happens, we're  
20 going to continue to hammer away at this  
21 problem because we have some people who have  
22 access to gold dust and some people who have  
23 access to dust on the ground, and that is a  
24 problem.

25

1  
2 LAURA FEIJOO: And we hope to  
3 continue to work with City Council to try to  
4 figure out the answers to the questions. I  
5 think the issues that you raised in terms of  
6 school leadership, school teachers, access is  
7 all things we're invested in and working  
8 towards into try to build schools, but is a  
9 very--we do know how to improve schools and we  
10 are absolutely under this Chancellor's tutelage  
11 working to do that.

12 CHAIRPERSON DROMM: Thank you. And  
13 Council Member Margaret Chin?

14 COUNCIL MEMBER CHIN: Thank you,  
15 Chair. I wanted to focus my question in terms  
16 of parent involvement. So is the DOE  
17 monitoring that the charter schools are  
18 following state law, that they have to have  
19 parents association, that's having regular  
20 meetings and open to all? So how many charter  
21 schools are actually doing that, that do have  
22 parent associations?

23 LAURA FEIJOO: For the DOE,  
24 authorized charter schools, it is something  
25

1  
2 that we work with the schools with and have  
3 parent associations in place.

4 COUNCIL MEMBER CHIN: So, only the  
5 one that DOE has authorized?

6 LAURA FEIJOO: Only the ones we have  
7 statutory guidance over. I can't speak to the  
8 other schools. I'm sure that some of the SUNY  
9 and the Board of Regents schools have them, but  
10 we have authorization over the 69 charter  
11 schools for which we give them guidance and  
12 information and work with them to support their  
13 parent organizations and their parent  
14 involvement in their schools.

15 COUNCIL MEMBER CHIN: So do you  
16 monitor and check to see if they are involving  
17 parents and having meetings and parents can  
18 file complaint or?

19 LAURIE PRICE: Absolutely. As a part  
20 of our annual comprehensive review as well as  
21 our renewal process we are looking to see that  
22 schools are in compliance and that they have a  
23 active parent association and we make note of  
24 it in the reports that come out of those, and  
25 those reports are public and on our website.



1  
2 COUNCIL MEMBER CHIN: Now, are the  
3 parents part of the Chancellor's Parent  
4 Advisory Council? The parents from these  
5 charter schools, are they part of the  
6 Chancellor's Parent Advisory Council?

7 LAURA FEIJOO: I don't have a list of  
8 those parents, but we can get back to you.

9 COUNCIL MEMBER CHIN: You don't know?

10 LAURA FEIJOO: No, I don't.

11 COUNCIL MEMBER CHIN: I mean, this is  
12 a DOE, under the Division of Family and  
13 Community Engagement.

14 LAURA FEIJOO: It's a division in the  
15 Department, but--

16 COUNCIL MEMBER CHIN: [interposing]  
17 Yeah, but there is a city wide Parent Advisory  
18 Council. They have regular meetings. They send  
19 City Council Member information on their  
20 meetings every month. Are charter parents part  
21 of this? Are they invited to join?

22 LAURIE PRICE: We can look and get  
23 back to you.

24 COUNCIL MEMBER CHIN: I hope so,  
25 because they're public. That's what we keep

1  
2 hearing, that charter schools are public  
3 schools, so they're public schools. They  
4 should be involved in all these activity that  
5 are a part of public school. I mean, the  
6 parents, if the parents were involved in these  
7 kind of city wide parent group, they might be  
8 able to talk about their concern about some of  
9 the discipline policies in their school,  
10 because a parent, you know, they have to fight  
11 to get--I mean, they feel so whatever that they  
12 go selected through the lottery, and some of  
13 them might not, you know, be willing to come  
14 forward to complain or worry that they might  
15 the lose the seat for their kids, but if  
16 they're regular public school parent, then they  
17 should be involved in parents, you know,  
18 coalitions and being especially sponsored by  
19 DOE. So I definitely want you to look and--

20           LAURA FEIJOO: [interposing] We can  
21 get back to you on that, but I do want to just  
22 say for the record that 311 calls can also be  
23 anonymous, if a parent wants to raise a  
24 complaint or a concern that we get the  
25 information and we will address it, even if

1  
2 they don't want to leave their name. So I just  
3 want to--

4 COUNCIL MEMBER CHIN: [interposing]  
5 How many complaints actually came in about  
6 charter school? Do you have that statistic?  
7 Maybe you can share that with us.

8 LAURA FEIJOO: I don't have it, but I  
9 will.

10 COUNCIL MEMBER CHIN: Yeah, so that  
11 we could see how does parent really utilize  
12 that or not. And just one last point is that  
13 when you're talking about glad to hear that,  
14 you know, Chancellor Farina was talking about  
15 in terms of best practices, because we have so  
16 many public schools, real public schools, I  
17 mean district school that are doing great. I  
18 have a lot of them in my district. Those  
19 examples need to be shared. I mean, like  
20 charter school only serves six percent of our  
21 population. The majority of schools are real  
22 district, real public schools. So let's give  
23 some good example and let's really showcase the  
24 good schools that we have, what they're doing  
25 and really celebrate those, which I don't hear

1  
2 a lot. You know? You hear about all these  
3 charter schools. They only--they're a small  
4 percentage. Meanwhile, we have a large number  
5 of our school that's working, that's doing  
6 well. Kids are educated. Kids are engaged.  
7 Parents are involved. Let's hear more of those  
8 form the DOE.

9           LAURA FEIJOO: I agree we have great  
10 schools in New York City, and this Chancellor  
11 is out and about at several schools and as she  
12 goes around speaking, she does highlight things  
13 that she sees that are exemplary practices in  
14 schools doing really well and schools working  
15 towards a goal, and so I agree, we need to  
16 celebrate our successes.

17           COUNCIL MEMBER CHIN: Well, but let's  
18 get that out in the news on a regular basis.

19           LAURA FEIJOO: Learning Partners will  
20 do just that.

21           COUNCIL MEMBER CHIN: So the public  
22 knows that we have good public school. Thank  
23 you, Chair.

24           LAURA FEIJOO: Thank you.  
25

1  
2 CHAIRPERSON DROMM: Okay. Before we  
3 go to round two, a couple of Council Members do  
4 have a second round of questions that they  
5 would like to ask. My question is around the  
6 EIS, the Educational Impact Studies that you do  
7 before co-locating a school into a building.  
8 Now, last year, when they tried to co-locate  
9 into Long Island City High School they did not  
10 put out a information, I guess, request for  
11 information about, which would have been  
12 included in the EIS in the native language of  
13 the--right, the community impact statement in  
14 the native language of the people, most of the  
15 people who attend that school. So I'm wondering  
16 if your department or anybody in the DOE ever  
17 goes back and looks at the EIS statements to  
18 see if the projections of the impact were  
19 accurate or if they were off, how much they  
20 were off by? Were they underestimated? Is  
21 anything like that ever done to go back and  
22 look at that?

23 LAURA FEIJOO: Sure. So, the  
24 Educational Impact Statement stands. It's  
25 utilized if there's a co-location concern, or

1  
2 question or something that arises, we go back  
3 to that because that's what we're governed by  
4 in terms of space, and we utilize that to make  
5 decisions in figuring things out, and I think,  
6 you know, absolutely looked at, reviewed.

7 Comments that come in are categorized and  
8 organized so that we have information about  
9 public comments.

10 CHAIRPERSON DROMM: And that's post  
11 placement of the school with the co-location?

12 LAURA FEIJOO: Sure. And I can give  
13 you an example. I was at Richmond Hill High  
14 School the other day and we--that was the first  
15 document we took a look at, when we were  
16 looking and thinking about how can we mitigate  
17 what Public Advocate James mentioned before,  
18 some of the issues around the TCUs and the  
19 annex and the space inside the school building,  
20 and so that was the first document that was put  
21 on the table.

22 CHAIRPERSON DROMM: So if you see a  
23 school where the co-location projections in the  
24 EIS were not accurate, do you pull a school  
25 out?

1  
2 LAURA FEIJOO: I don't. So if they're  
3 not accurate, we absolutely have to work with  
4 the two schools to figure out space sharing.  
5 The campus squad that I mentioned before, we  
6 have to figure it out. Part of the school being  
7 co-located, whether the data's exactly right or  
8 slightly off or things change over time,  
9 because things do change. We do go out to work  
10 with the schools and figure out space in those  
11 co-located buildings, and I'm part of the team  
12 that goes out to do that to be able to  
13 strategize around programming, around space  
14 issues, around things we could do with  
15 facilities to improve those facilities for  
16 everyone's use.

17 CHAIRPERSON DROMM: Okay, thank you.  
18 I want to go to Council Member Mark Treyger.

19 COUNCIL MEMBER TREYGER: Thank you,  
20 Chair. I have some just to follow up on a  
21 previous thing that we had exchanged about. The  
22 DOE's position, is that they're in compliance  
23 with what's going on at PS 90, but I'll tell  
24 you that that was--having someone that's in a  
25 hallway could be what's called a temporary

1  
2 situation, maybe for a few days, a week the  
3 most, but it's been 18 months. So does the DOE  
4 believe that they are in compliance with State  
5 mandates and regulations about what's happening  
6 in that school in Coney Island?

7 LAURA FEIJOO: Council Member  
8 Treyger, let me respond.

9 COUNCIL MEMBER TREYGER: Please.

10 LAURA FEIJOO: As we are all aware  
11 that this was an impact caused by Sandy--

12 COUNCIL MEMBER TREYGER:  
13 [interposing] Yes.

14 LAURA FEIJOO: and we are continuing  
15 to work very closely with FEMA, with this  
16 Administration, with OMB to secure all of the  
17 funding that we need to do all of the repairs  
18 required to address the buildings that were  
19 impacted by Sandy. There are in many cases, and  
20 this is one, we are not able to move forward  
21 with repairs while we are awaiting the  
22 determinations from FEMA. So we are working  
23 very closely. We are all very anxious to  
24 address the repairs needed by Sandy, and we  
25 will hope to get this accomplished as soon as



1  
2 we can, but we in the meantime we are doing  
3 everything we can to ensure that the students  
4 and staff in this building are safe and fire  
5 watch is a way to help do that.

6 COUNCIL MEMBER TREYGER: But with all  
7 due respect, the city just received and  
8 additional, I think, 300 million dollars at  
9 least from the state. I believe it is a legal,  
10 moral, ethical obligation to move on this,  
11 because to have people in the hallway with  
12 whistles, it doesn't--first of all, it doesn't  
13 pass the laugh test, but it's not funny. It's  
14 serious, and we have to--you know, that has an  
15 impact on instruction. People think that no one  
16 cares about--people think no one cares about  
17 that school, that no one cares about the  
18 community. So I know FEMA, I believe me, as  
19 Chair of the Recovery Committee, I could tell  
20 you FEMA has--we have a lot of issues with  
21 FEMA, but we have an obligation right now to  
22 address this matter. Let's pay for it. Let's  
23 get it done. Then I'll help all that I can from  
24 my committee's end to get reimbursements. But  
25 we--but this is an example of a tale of two

1  
2 cities as the Mayor always talks about. We have  
3 to make sure that all children are treated  
4 equally and are safe. Now, I just want to say  
5 about you mentioned about space and working  
6 with school communities. The school that  
7 Chairman Dromm is highlighting, Coney Island  
8 Prep, when they originally came to the  
9 community I was not the Councilman at the time,  
10 but the councilman at the time had mentioned  
11 that this was a temporary fix, temporary  
12 solution. Not only are they in 303, they're now  
13 because of the DOE's approval of a rush co-  
14 location at the end of last year, they're now  
15 expanding into IS 281 Cavallaro. Cavallaro is a  
16 school that actually accommodated Coney Island  
17 Children when they were displaced by the storm.  
18 I don't know if the DOE's aware of that.

19 CHAIRPERSON DROMM: Wait a minute.  
20 Wait a minute, Council Member. They are going  
21 to expand the Coney Island--

22 COUNCIL MEMBER TREYGER:  
23 [interposing] That is--and they're going into  
24 non-Coney Island neighborhoods. That's correct,  
25 yes. They're expanding Coney Island Prep.

1  
2 CHAIRPERSON DROMM: I mean this is--  
3 gets to be more and more unbelievable, that a  
4 school with discipline policies such as the  
5 ones that we heard about here today is now  
6 being given permission to expand further?

7 COUNCIL MEMBER TREYGER: That's  
8 correct. And they're going into a school that  
9 in my opinion deserves a thank you from the  
10 DOE, from the City of New York for taking in  
11 children who were displaced by the storm.  
12 They're over 80 percent capacity. I still to  
13 this day have not gotten an answer from the  
14 DOE. Where are they going to fit these kids  
15 physically into the school? There's just--  
16 there's no space in--I know you guys look at  
17 number and little charts. I have visited  
18 Cavallaro. I've gone inside the school. There's  
19 no space, and then you need--there are kids  
20 with special needs that need special room  
21 accommodations for testing and resource.  
22 There's no space. So can someone explain to me.  
23 I was a history teacher, I wasn't a math  
24 teacher, but I know simple math. Where do you  
25 fit them into Cavallaro? And in light of what

1  
2 the Chairman has just revealed here today, how  
3 in good conscious can you let this proceed  
4 forward?

5           LAURA FEIJOO: I will absolutely go  
6 and look at the space issues around Cavallaro.  
7 I know the school. I've been in the school.  
8 I've been in 303. I know the history of the  
9 schools going in there and utilizing the space.  
10 I know the science school, so I understand how  
11 they're working through space collaborations  
12 and have actually been there recently. So  
13 that's one thing I think that can be worked  
14 out. I understand what you're saying about the  
15 school and the discipline policy separately,  
16 but in terms of Cavallaro, the charter--the  
17 schools that are moving forward in terms of co-  
18 location are schools that were put in place and  
19 we want to make the best situation on terms of  
20 sharing space and utilizing space, because not  
21 moving forward with the schools would have been  
22 a disruption to students who had selected and  
23 want to attend those schools. But I will look  
24 into Cavallaro space to try to see if the  
25 building, the campus, the campus building squad

1  
2 can go out and try to support this school and  
3 the co-location in ways that we have in other  
4 places.

5 COUNCIL MEMBER TREYGER: I'd just  
6 like to tell you, I don't--I cannot see a  
7 situation where the DOE can comply with  
8 regulations when the school is really--it has,  
9 you know, as it is already 80 percent capacity.  
10 There are kids with special needs that need  
11 special accommodations. I don't see how that's  
12 possible, and you have not allowed the  
13 principal of the school and that administration  
14 to fulfil and actualize their vision of  
15 expanding additional programs to Cavallaro, but  
16 that's a separate conversation. The bottom line  
17 is it was--we had significant community  
18 opposition. It was a rushed co-location. There  
19 were numerous town hall meetings public and  
20 where the community came out against it. The  
21 Mayor had assured a moratorium and it just it  
22 never happened. So there's a major trust  
23 deficit here that no one is trusting of this,  
24 and based on the record of Coney Island Prep in  
25 Coney Island, they are not entering this school

1  
2 with the greatest trust record here either. And  
3 I want to be very clear about this. I am not  
4 going to fall into the trap of pitting charter  
5 school parents versus district school parents.

6 LAURA FEIJOO: I understand.

7 COUNCIL MEMBER TREYGER: Our job is  
8 to serve all children. When I was a public  
9 school teacher at New Utrick [sic] High School,  
10 we had some kids coming in from charter schools  
11 and I didn't treat them any different. They're  
12 all our kids, and when the DOE gave us kids  
13 from the Bronx 17 years old with zero credits  
14 expecting them to graduate in four years, we  
15 still took them in with open arms, even though  
16 that counted against our data. That over-the-  
17 counter, whatever you want to call it, we never  
18 denied those kids entry into our school. If  
19 they're called public schools they have to be  
20 bound by the same rules as public schools.  
21 Thank you.

22 CHAIRPERSON DROMM: And on that note,  
23 I think what we're going to do is have a  
24 committee visit to Coney Island Prep. So I'd  
25 like to ask the Administration to set that up

1  
2 for us please at our earliest convenience so  
3 that we can go see firsthand exactly what's  
4 going on there and at the school where it will  
5 be co-located. And now I'd like to turn it over  
6 to Council Member Jumaane Williams.

7 COUNCIL MEMBER WILLIAMS: Thank you,  
8 thank you. But if you--if it's a pre-announced  
9 visit, they probably won't have any orange  
10 shirts that day.

11 CHAIRPERSON DROMM: Well, look, you  
12 know what? I do believe that one of my  
13 oversight responsibilities is that I can walk  
14 into a school at any time, and I intend to use  
15 that, specifically in situations when I hear  
16 about these types of things happening as well.  
17 So there may be other occasions where I do walk  
18 into schools unannounced. I did it now because  
19 of the situation we find ourselves in at this  
20 hearing, but I will be using that and other  
21 opportunities to get firsthand knowledge of  
22 what's happening our public school system.

23 COUNCIL MEMBER WILLIAMS: Sounds  
24 good. I just had some statements really quick  
25 that I forgot to mention. One is obviously, and

1  
2 I always say it's easy to sit up here. It's  
3 harder to run a system of two point something  
4 million folks and I understand that, which is  
5 why I always push that we have to be focused on  
6 what we're doing and if we're being pulled in a  
7 hundred different ways and not focused on  
8 evaluating whether those ways are working,  
9 we're doing ourselves a disservice. But the  
10 last thing I wanted to mention because there  
11 is--I have some great schools in my district  
12 and we were talking about best practices.  
13 There's one school in particular among the  
14 great schools, PS 119 that's doing a lot of  
15 good work. The principal's name is Jenny  
16 Fernandez, but for her reward she's been  
17 punished by the previous Administration and I'm  
18 hoping that this Administration will treat her  
19 differently. She was doing great work and she  
20 focuses on peace and violence, and she had some  
21 focus programs just on young black males. She  
22 wasn't allowed to do that, and now she was  
23 taken--her ability to be in charge of her  
24 admission was taken away. I hope that that's  
25 returned to her. There was no good reason while



1  
2 it was working. It's one of the better schools  
3 actually in the city, and I hope that's looked  
4 into. Thank you.

5 LAURA FEIJOO: I absolutely will.

6 CHAIRPERSON DROMM: Council Member  
7 Barron?

8 COUNCIL MEMBER BARRON: Thank you,  
9 Mr. Chair. I had another hearing that's why I  
10 wasn't here earlier, but I did listen to the  
11 testimony for a portion of the time, and it  
12 greatly concerns me what we've been hearing. We  
13 know that charter schools were intended to be a  
14 model to be replicated as they demonstrated  
15 success, and I think that we are now on a  
16 runaway train that we're trying to catch up to  
17 and see what have we created and how we need to  
18 correct it. As you know, we hear about the tale  
19 of two cities. Well, when we look at our  
20 educational system now, we have the tale of two  
21 tiers of education. We know that initially  
22 charter schools came in and there was a blatant  
23 distinction between the services, the  
24 buildings, the facilities, the equipment, the  
25 libraries, the painting, the bathrooms, the

1  
2 doorways, and everything that they use. So to  
3 address that inequity, we now are told, "Well,  
4 for every 5,000 dollars that a charter school  
5 that maybe co-located in your building spends,  
6 you get to spend 5,000 dollars." But the  
7 problem is there's no transparency, there's no  
8 accountability, as we heard at one of our  
9 previous hearings, so that the whole school  
10 doesn't even in fact know the cost of  
11 improvements that are being done in the  
12 building. So I would hope that this committee  
13 can get that information as to the dollar  
14 amount so that the whole school will be able to  
15 have that information readily at their  
16 fingertips. Part of the problem with the co-  
17 location is that the assessments that were done  
18 were done--were not done objectively or with a  
19 total view to understanding that we teach  
20 children holistically. So it's not just about  
21 designating a given number of classrooms based  
22 on a student population, but making sure that  
23 the space that's used for art and for music and  
24 for the other areas that fulfill a curriculum  
25 are in fact given to the school. What we now

1  
2 have in many instances is an example of the  
3 proverbial camel getting the nose in the tent,  
4 and whole schools being forced out of the  
5 building in which in fact they were there  
6 first. So they're not entitled to have that  
7 space for dance rooms or other areas of  
8 instruction because they've been taken over,  
9 and their children are forced into the TCUs  
10 which we know were only designed initially to  
11 be there for 10 years and have extended into  
12 15, 20 years and beyond. So the whole school is  
13 taking the burden of not being treated on an  
14 equitable basis. It's not equal. It's not  
15 equitable, and it is a major problem. Part of  
16 the problem also is that New York City, New  
17 York State, I'll start with the state, had for  
18 two decades not funded New York City  
19 appropriately. If I could have more time. Thank  
20 you. Not funded New York City equitably, so  
21 that the population of children in our schools  
22 were functioning under a Governor who felt that  
23 an eighth grade education was adequate, but was  
24 taken to court and was challenged and was told  
25 no, that's not acceptable, and the state was

1 told that they had to in fact give New York  
2 City 5.2 billion dollars over a four year  
3 period. Unfortunately, this Governor has not  
4 seen fit to uphold that settlement and has in  
5 fact taken back two billion dollars in funding  
6 that had initially been granted under the first  
7 two years of the campaign for fiscal equity. So  
8 there are lots of problems. First of all, for  
9 me, if a private institution receives public  
10 funds but is not held to the same standard as  
11 the other institutions receiving that public  
12 funds it is in fact not a public institution.  
13 It's not in fact a public institution. The  
14 teachers are not evaluated by the same methods  
15 as the public school institutions in terms of  
16 teacher evaluations. They're not held to that  
17 same standard. I was amazed two years ago while  
18 I was in the Assembly when they said, "Oh, no,  
19 charter schools don't have to comply with terms  
20 of the criteria that we're going to use for  
21 teacher evaluations." So there are two  
22 standards here, two sets of books, two--the  
23 resistance and in fact, legal fight to not have  
24 transparency. No we don't want you to know  
25

1  
2 what's going on. No, we don't want to give you  
3 that ability to look at our books. That speaks  
4 volumes as to what it is that's happening that  
5 you don't want us to see and to know about?  
6 Why wouldn't you getting our money want us to  
7 see how you're spending our money? I think that  
8 there's much to be said. As you know, charter  
9 schools have a very low proportion of special  
10 needs children and ELL students and they get  
11 counseled out when their needs are not met or  
12 they present problems. And it was interesting,  
13 I read about Jeffery Canada's [sic] School. He  
14 took in a select population and when it go to  
15 the sixth grade and he realized that the  
16 results were not what he had expected, he ended  
17 the school. We're not going to have a seventh.  
18 We're not going to have an eighth grade. We're  
19 going to start again. What public school do you  
20 know can tell children, "Listen, we're not  
21 going to continue to keep you in our system  
22 because you're bringing our grades down." It  
23 was clear. It was blatant, and it was alarming  
24 that he was allowed to do that, and that people  
25 talk about the great success of charter schools

1  
2 where if you look at the data for black  
3 students graduating from public schools there's  
4 an abysmal 12 percent graduation rate, but for  
5 charter high schools there's an even more  
6 abysmal rate of only 10 percent of blacks  
7 graduating. So the data does not bear out what  
8 it is we wanted charter schools to do, which  
9 was present a model. Oh this is great. This is  
10 something you can replicate. Here's the data,  
11 and that has not been the case. So I think  
12 we've created a huge entity and system that  
13 needs much looking at. Parents come to me and  
14 they tell me that they realize later that the  
15 contract that they sign does not allow them to  
16 challenge a decision of the school, and if you  
17 want to challenge it, take your child out. And  
18 they brought me the contract. I was amazed, and  
19 it's just not a system that's respectful when  
20 you have children wearing orange and being told  
21 that they cannot interact. School is a  
22 socializing institution or so it's supposed to  
23 be. But we now have charters where children  
24 have to walk down the hallway with their hands  
25 behind their backs. What does that look like?

1  
2 That looks to me like here's a child who's  
3 being restrained. And it looks to me like an  
4 institution where they have to walk down the  
5 halls with their hands behind their back. So if  
6 the intent is to create models that are going  
7 to be replicated in the community public school  
8 buildings, I don't think that we've yet reached  
9 that, and we need to really look at how we can  
10 make sure that these schools that are getting  
11 public money but being operated by private  
12 entities in the matter in which they identify  
13 in their charter. It's in their charter, so we  
14 know what it is, but we need to look at how  
15 that is happening, and we need to understand  
16 that all of our children are entitled to  
17 smaller class size, extended day, wrap around  
18 services, and that when we give all of that to  
19 our children in an equitable basis, then we'll  
20 get the results that we see, but we've got to  
21 hold the city and the state accountable to give  
22 the funding that's needed to make that work.  
23 Thank you, Mr. Chair.

24 CHAIRPERSON DROMM: Okay. Thank you  
25 very much, and interesting observation about

1  
2 teacher evaluations. I did not realize that. So  
3 maybe that's one of the best practices that we  
4 should bring into the public schools. Would you  
5 be opposed to not having the evaluation system  
6 that has been imposed upon us using one of  
7 those best practices from the charter schools  
8 and bringing them into, from the charter  
9 schools into the public schools and evaluating  
10 the teachers in the public schools the same way  
11 that the teachers are being evaluated in a  
12 number of the charter schools?

13 LAURA FEIJOO: We're bound by 3012C.

14 CHAIRPERSON DROMM: Oh, by state law?

15 LAURA FEIJOO: And by ele--there are  
16 elements of it including student data that are  
17 reviewed in terms of teacher evaluation and so  
18 to--

19 CHAIRPERSON DROMM: [interposing] So  
20 we can't use those best practices in the  
21 charter school in the public school?

22 LAURA FEIJOO: That is correct.

23 CHAIRPERSON DROMM: Wow, imagine  
24 that. Alright. Next question, Antonio Reynoso.

25



1  
2 COUNCIL MEMBER REYNOSO: Thank you  
3 again, Chair. I just want to say there's two  
4 schools, two charter schools in my district,  
5 Mesa Charter School in Bushwick and  
6 Williamsburg Charter High School in  
7 Williamsburg. Williamsburg Charter High School  
8 is a community charter school that was--with  
9 input from the community was built and they  
10 have their own building, and they do amazing  
11 work. And I just want to say that about three  
12 years ago the--or two years ago, the Department  
13 of Education tried to shut down the school and  
14 take their building away. When they finally do  
15 the right thing, there's an effort by the  
16 charter department in DOE to shut them down.  
17 Luckily we took them to court and we were able  
18 to show that there was a conflict of interest  
19 and that it wasn't in the best interest of the  
20 students to shut this school down. So I was  
21 grateful to hear that. And with Mesa Charter  
22 School in Bushwick, they take the majority of  
23 their children are from Bushwick, which is very  
24 rare, not like the Success Academy in  
25 Williamsburg who do not have the--who do not

1  
2 have the majority of the children from  
3 community, from CC14. I do want to say to  
4 marketing principles. We talk about best  
5 practices. Success Academy had a marketing plan  
6 that targeted children from CEC 14 that were in  
7 the more affluent areas of the community. So  
8 the train station on Bedford Avenue, up and  
9 down the business corridors of Bedford and the  
10 northside were flooded with Success Charter  
11 School information, flyers. They paid--they  
12 shut down Bedford Avenue. Looked like Success  
13 Academy Avenue when you come out of the train.  
14 You know, the youtube truck, the youtube train.  
15 They had--it was almost like they had a youtube  
16 station. What ended up happening is a lot of  
17 those families from the affluent areas ended up  
18 going to Success Academy, and the Southside  
19 parents who are poor or didn't have the  
20 information weren't even prepared to apply or  
21 didn't know that they could apply. So they got  
22 an unfair amount of people from affluent areas  
23 applying to their school and this is a tactic  
24 they use to cream. That marketing in the DOE's  
25 eyes, when we asked them what it was, they said

1 as long the CEC 14, that justifies them  
2 marketing, their marketing standard. And I just  
3 want to say that it's concerning to me when a  
4 school can choose what parents they're giving  
5 information to, and in order to target the type  
6 of parent and the type of kids that they want  
7 in their schools, and the DOE did nothing. And  
8 the thing that bothers me most about his  
9 hearing, is that I thought that there was going  
10 to be a different tone set from the Department  
11 of Education as to what they were trying to do  
12 here today, and our outrage wasn't shared by  
13 you. You're not outraged by the orange shirt.  
14 You answered Council Member Treyger's question  
15 by saying, "Yes, we are going to expand and  
16 we'll see how we can make that expansion more  
17 equitable or fair." Instead of saying, "There's  
18 a huge problem here, and we have to look at  
19 whether or not we're going to proceed with  
20 this." And it seems like when I ask about over  
21 the counter kids, you gave me information  
22 regarding policy and law instead of saying,  
23 "That is a big issue that we're looking into  
24 and we hope to address." You're not looking to

1  
2 partner with us to address the issues that  
3 we're talking about. You're just continuing to  
4 speak on practices that we do not agree with  
5 and that we're not happy with, and I'm  
6 concerned about that. I just wanted to tell you  
7 how I felt about your reaction to us. Thank  
8 you. And I would love for you to say  
9 something.

10           LAURA FEIJOO: So in recently taking  
11 over the charter school office and the office  
12 of new schools and the Chancellor taking over  
13 some things, there are things that were in play  
14 that we want to be able to resolve with  
15 schools. I don't want to sound less than  
16 committed to students and to schools and  
17 helping principals figure out situations that  
18 are difficult and challenging. I understand the  
19 over-the-counter question quite well and I know  
20 the challenges, and we've been looking at  
21 policies that address enrollment in schools and  
22 over-the-counter enrollment. We were at several  
23 community meetings talking about ways in which  
24 in local communities we can better figure out  
25 how to give information to parents so they have

1  
2 more transparent school choice, and to the  
3 degree, I apologize that I don't sound as  
4 interested. I am very interested and concerned  
5 about every single school. I know many of the  
6 schools you're speaking about and there are  
7 things we want to do to address that, and  
8 certainly I believe this will show moving  
9 forward as this Administration takes root in  
10 every decision that's being made beginning the  
11 new school year, that we're able to address  
12 some of these issues and demonstrate more than  
13 me just saying we're going to do this and we're  
14 going to do that, that we're actually taking  
15 these things to heart, because it is things we  
16 feel very passionately about. Some of the  
17 things, I do have to say, are not in our  
18 authority to take control over. I can't--I can  
19 certainly try to give parents as much  
20 information as possible. We can work with CEC  
21 14 to ensure that all parents have the same  
22 information because there are ways in which we  
23 can provide information because we have that  
24 vehicle to do that, but in order to bring  
25 people to hearings or certain things that were

1  
2 mentioned, I understand the concern, but  
3 they're not really within our jurisdiction to  
4 ensure, but to the degree we can, I want to  
5 commit to you that we want to be able to do  
6 that absolutely moving forward because every  
7 decision we make after this school year will be  
8 ours to make and be accountable for.

9 COUNCIL MEMBER REYNOSO: Thank you. I  
10 appreciate that answer.

11 CHAIRPERSON DROMM: Okay, I have two  
12 follow-up questions. I was not going to allow  
13 them. I'm going to allow them. One minute each,  
14 and I'm asking the Sergeant to put you on the  
15 clock for a minute, then we're going to wrap it  
16 up. We do have other people who want to speak.  
17 They've been waiting patiently for two and a  
18 half hours. I want to be able to get to them. I  
19 want to be able to hear from charter schools as  
20 well, give them the opportunity to speak and  
21 from parents who are affected by these  
22 decisions also. Council Member Inez Barron and  
23 then Council Member Mark Treyger.

24 COUNCIL MEMBER BARRON: Very quickly.  
25 You just said it's not in our authority.

1  
2 There's something that we call Mayoral control.  
3 I'm opposed to Mayoral control, but it exists.  
4 So since it exists and it says that the Mayor  
5 has complete authority, I would challenge you  
6 to say that that's not an accurate statement  
7 and I would hope that as long as we do have it,  
8 and if in fact the Mayor thinks that something  
9 is not happening appropriately, that he would  
10 exert his authority as the Mayor having  
11 complete control over the education system and  
12 take it to court and challenge it and make it  
13 work for all of the children. Thank you.

14 CHAIRPERSON DROMM: Okay.

15 LAURA FEIJOO: No, I was just going  
16 to say if I misrepresented. There are certain  
17 things in state policy that we don't have  
18 authority over.

19 COUNCIL MEMBER BARRON: Mayoral  
20 control was given to the Mayor by the New York  
21 State Assembly, by the state authority, and if  
22 in face it exists and if the Mayor feels that  
23 there are some things that need to be addressed  
24 and corrected, I would challenge the Mayor to  
25 use his authority as the Mayor having Mayoral

1  
2 control to take it to court and correct what he  
3 feels is not right.

4 CHAIRPERSON DROMM: Council Member  
5 Treyger.

6 COUNCIL MEMBER TREYGER: Just to  
7 build on Council Member Barron's point, the  
8 proposal to co-locate Cavallaro might have  
9 happened under Bloomberg's watch, but the  
10 decision to move forward with this co-location  
11 happened under this current Mayor's watch. So  
12 that's what we're talking about, and in light  
13 of what we're learning about Coney Island  
14 Prep's discipline code, I wonder what other  
15 things we're going to discover about their  
16 instructional code. And I, again, and I will  
17 take up the Chair's proposal for a trip, a  
18 committee visit, because it is my position that  
19 Cavallaro, first of all, the children in 303,  
20 the children in Rachel Carson shouldn't be  
21 exposed to what's happening there either, and  
22 quite--the children in Coney Island Prep should  
23 not be subjected to this type of outrageous  
24 treatment, but to exp--but to reward it. You're  
25 basically rewarding what's happening here by



1  
2 expanding into other schools, and that must  
3 end. Thank you.

4 CHAIRPERSON DROMM: Okay. So thank  
5 you. I just--before we let you go, I did not  
6 read the whole statement and I want to get that  
7 out so the public understands that the orange  
8 shirt, it doesn't stop there. It says, "These  
9 scholars will also have designated seating in  
10 every classroom. Scholars who are out of pride  
11 will sit silently and spend their breaks or  
12 lunches in the Dean's office or another  
13 designated area. Scholars who are out of pride  
14 will serve detention after school." So it goes  
15 on and on and on, and it's just it's amazing to  
16 me that in New York City in 2014, that our  
17 students can be treated this way. That being  
18 said, I do thank you. Do you want to respond?

19 LAURA FEIJOO: I'd actually just like  
20 to give one more comment not on that  
21 particular, but to Council Member Treyger. I  
22 have emailed during our conversation about some  
23 additional information on KO 90, that fire  
24 installation is in fact in progress. It will be  
25 completed by September and the low voltage

1  
2 system in the entire building needed an upgrade  
3 in order to complete the fire alarm work. So it  
4 is in progress.

5 COUNCIL MEMBER TREYGER: I thank you  
6 for that, and I will work with you on the  
7 temporary boilers as well.

8 CHAIRPERSON DROMM: And I do want to  
9 also, as I was saying before, thank you for  
10 coming in and thank you for sitting through  
11 this bit of a grilling. I think that you can  
12 detect that there is much concern, deep, deep  
13 concern about the charter school issue within  
14 this City Council, and this City Council will  
15 continue to have oversight as much as we can.  
16 We will continue to advocate for our public  
17 schools students, and we will reconvene a  
18 hearing on charter school in the near future to  
19 find out how far we have gotten. I'm very  
20 interested in what the results of your looking  
21 at those other 69 school's discipline policies  
22 are as well as other issues concerning class  
23 size etcetera, which we didn't get to today,  
24 but I do thank you, and I also acknowledge that  
25 you have not been in your office for too long a

1  
2 period of time, that much of what we have  
3 brought up here today is a result of the  
4 previous Administration and we want to be able  
5 to give you time to correct some of these  
6 situations to the extent that you can. So thank  
7 you very much for coming.

8           LAURA FEIJOO: And I just want to  
9 thank you for allowing me to hear the concerns  
10 to address them as best as we can, and I look  
11 forward to further hearings and to working with  
12 you on the things we committed to providing the  
13 City Council after this meeting.

14           CHAIRPERSON DROMM: Thank you very  
15 much. Okay, now I would like to bring up Erik  
16 Joerss from the New York City Charter School  
17 Center, John Khani from CSA and David Golovner  
18 from the New York City Charter School Center as  
19 well. Okay, let me get to the panel. I'm going  
20 to ask you please to raise your right hand, and  
21 as--okay, and Michael, what's your last name?  
22 Can you speak into the mic so we can get it for  
23 the record?

24           MICHAEL REGNIER: Regnier, that's R  
25 e g n i e r. Thank you.

1  
2 CHAIRPERSON DROMM: And Sergeant, can  
3 you ask him to fill out a slip for us, please?  
4 Thank you. Alright. So can you please all  
5 three raise your right hand? Do you swear or  
6 affirm to tell the truth, the whole truth and  
7 nothing but the truth in your testimony before  
8 this committee and to answer Council Member  
9 questions honestly?

10 UNKNOWN: I do.

11 UNKNOWN: I do.

12 CHAIRPERSON DROMM: Thank you. So  
13 should we start with John?

14 JOHN KHANI: Okay, good afternoon  
15 Chairman Dromm and Council Member Treyger and  
16 Council Member Barron. It's a pleasure to be  
17 here this afternoon. We're hopeful at CSA, and  
18 by the way, CSA is the Council of School  
19 Supervisor Administrators. We represent 15,000  
20 principals, assistant principals, educational  
21 administrators, assistant directors, and  
22 directors of daycare. We're hopeful that  
23 today's hearing can take a step back from the  
24 shouting and the screaming, the acrimony and  
25 the animosity triggered at the mere mention of

1  
2 the word charter school and co-location. Lost  
3 in the noise are the children whose education  
4 and best interest are being held hostage to the  
5 noise. Council of School Supervisor  
6 Administrators welcome charter schools as a  
7 supplement to traditional schools, a sound way  
8 of increasing choice and an original way to  
9 spur innovation and competition. In fact,  
10 charter schools are public schools which have  
11 been relieved of some constraints in order to  
12 use innovative methods to reach specific  
13 academic goals. Because they receive public  
14 money, they are prohibited from charging  
15 tuition, from rejecting students on the basis  
16 of academic achievement, special needs or  
17 English language proficiency. The best of these  
18 schools often spring from the roots of their  
19 communities. They are the product of devoted  
20 teachers and parents seeking to find new ways  
21 of educating their youngsters. There are  
22 currently eight New York City charter schools  
23 where the leaders are represented by this  
24 union, CSA. I would note that none of these  
25 schools are run by for profit companies. The

1  
2 purpose of the Federal, State and City dollars  
3 used to fund these schools are provided to  
4 educate our children, not to fill the coffers  
5 of educational entrepreneurs. For charter  
6 schools that honor the spirit of the Charter  
7 Act of 1998 and have students populations that  
8 mirror the demographics of their communities,  
9 there should be financial parity with  
10 traditional public schools in the district.  
11 Several analysis indicate that charters do not  
12 enjoy this parity. At the same time, there are  
13 charters that are enjoying outrageously unfair  
14 advantages. In some of our districts, there are  
15 charters that are treated like favored children  
16 even though they break rules and make a charade  
17 of accepting students unconditionally. They  
18 actively recruit students who are most likely  
19 to succeed, skimming them off the top of  
20 traditional public schools. Somebody mentioned  
21 earlier, this concept is called cherry picking.  
22 When the time comes for the city wide and the  
23 state wide tests, special needs, ELL and under  
24 achieving students who slipped in are  
25 forcefully steered back to their traditional

1 neighborhood schools, often too late for the  
2 per pupil funding to accompany them. As a  
3 result, the charter school that taught the  
4 student is not held accountable for the score.  
5 Instead, these low scores are attributed to the  
6 public school that inherited the transferred  
7 student and did not have the right of refusal  
8 because public schools must accept all  
9 students, even those that do not necessarily  
10 improve the school's test scores. At a time  
11 when there is still thousands of our children  
12 attending classes inside of a trailer, many  
13 other public school children have to fight for  
14 space in their own buildings. The sad truth is  
15 co-locations can and sometimes do lead to over-  
16 crowding, depriving children, especially  
17 disadvantaged children of sufficient classroom  
18 space, libraries, arts, programs, gymnasiums  
19 and laboratories. This was underscored recently  
20 in the Comptroller's report about arts  
21 education lacking in low income areas. Our  
22 members often tell us that co-location can be  
23 successful when leadership teams from the  
24 shared campuses incorporate a collaborative  
25

1  
2 approach to managing activities in space within  
3 the building. We also were very pleased that  
4 Chancellor Farina has made a paradigm shift  
5 from promoting competition to embracing  
6 collaboration and sharing best practices. There  
7 is little support or training for school  
8 administrators to address the challenges that  
9 may arise from co-locations. Co-location  
10 remains a grave challenge for many schools. I'm  
11 wrapping up. In some instances, cafeteria space  
12 is so limited that students are forced to eat  
13 lunch before 10:00 in the morning. As noted in  
14 a New York Times op-ed piece just last month  
15 entitled "Charter School Refugees" Andrea  
16 Gabreapril [sp?]poses an interesting and  
17 thought provoking question which should preface  
18 co-location determinations. Is there a point at  
19 which fostering charter schools undermines  
20 traditional public schools and the children  
21 they serve? We believe that in those specific  
22 situations the DOE must take a closer look at  
23 its policies and avoid creating more charters  
24 and co-locations if the result is detrimental  
25 to the host school. The author further au pines



1  
2 that some charter school initiatives like  
3 longer school days and student reward systems  
4 to foster good behavior have been adopted by  
5 traditional public schools, but charters have a  
6 lot to learn from these schools, too,  
7 especially when it comes to educating special  
8 needs students. We should not allow policy  
9 makers to enshrine a two tiered system in which  
10 the neediest children are left behind. Thank  
11 you.

12 CHAIRPERSON DROMM: Thank you. Next,  
13 please?

14 ERIK JOERSS: Thank you, Mr.  
15 Chairman. Thank you, Council Members. My name  
16 is Erik Joerss and I am the Deputy for  
17 Government Affairs at the New York City Charter  
18 School Center. Thank you for the opportunity to  
19 testify. Given time constraints, I will not  
20 read from my testimony, but just address a few,  
21 I think, important points. The topic of  
22 accountability for charter schools is a  
23 critical one. Accountability is central to the  
24 unique but fair charter school bargain.  
25 Charters are freed from many state laws and

1 regulations in order to operate with increased  
2 flexibility over everything from hiring, to  
3 curriculum to the school calendar, but in  
4 exchange, they're expected to meet academic  
5 goals or be shut down. One of the charter  
6 authorizers charged with enforcing this  
7 accountability is the New York City School's  
8 Chancellor and it would be critically important  
9 for the Department of Education to faithfully  
10 carry out this function. Even in an  
11 Administration that is philosophically opposed  
12 to the closure of struggling district run  
13 schools, there must be a clear distinction that  
14 charter schools which the city do not directly  
15 manage are still subject to the same charter  
16 bargain they signed up for when they applied  
17 for charter for the right to serve public  
18 schools kids using public dollars. A strong  
19 system of authorization and accountability and  
20 one that closes schools that aren't performing  
21 is central to the charter bargain and we hope  
22 and believe that the DOE will take this  
23 responsibility with the due seriousness that it  
24 deserves. One thing that hasn't been brought up  
25

1 really in this hearing is the actual  
2 legislation around this hearing, which is intro  
3 12. We strongly support Intro 12, salute  
4 Councilman King for his forward thinking bill  
5 that seeks to increase transparency and make it  
6 easier for communities to know their local  
7 schools. We'll be forwarding some technical  
8 suggestions about bill language and would  
9 respectfully suggest these three substantive  
10 improvements to the bill. First, for the sake  
11 of including up to the date test scores, a  
12 September reporting date would be preferable to  
13 a June reporting date. Second, the demographic  
14 data being collected and reported should  
15 include a measure of economic disadvantage to  
16 be determined by the DOE, and third, there's  
17 really no reason to limit the reporting to co-  
18 located schools. A similar report about all  
19 schools with indications of which ones are co-  
20 located where would be much more useful to the  
21 public debate and we trust the added staff time  
22 required to prepare it would be trivial. I want  
23 to talk briefly about some of the things that  
24 were brought up in the hearing as opposed to  
25

1 just reading direct testimony. A lot of the  
2 charter centered debate revolves around best  
3 practices, and whether or not charters are  
4 sharing best practices and how we can better do  
5 this. One thing I wanted to mention that's  
6 often loss in the debate is, it is a two way  
7 street. Charters have learned quite a bit from  
8 our district counterparts. Nobody has a  
9 monopoly on good ideas. I think it's safe to  
10 say without the Brooklyn New School, there  
11 probably isn't a community roots, which then  
12 they got Compass, which will start. These  
13 collaborations are important and they do need  
14 to go both ways. In terms of teacher  
15 evaluations which were brought up in the  
16 hearing and that charter schools don't have to  
17 abide by this state teacher evaluation, that's  
18 because our teacher evaluation standards tend  
19 to be harder because the schools are not  
20 actually bound by some of the rules that the  
21 district schools are. The complaint that a lot  
22 of charter operators have with the teacher eval  
23 system was they had this huge multipage factual  
24 report that was being asked to condense it down  
25

1  
2 into a one, two, three, four system, which  
3 frankly is a lesser system than they have. And  
4 that was kind of the push back from the schools  
5 on teacher evals. Council Member Williams asked  
6 about what works. We know some of the things.  
7 We know a longer school day works. We know  
8 principals that are able to set their own  
9 culture are things that works. We're really  
10 heartened by the fact that in the new contract  
11 with the UFT it looks like there's going to be  
12 up to 200 schools that are opening that are  
13 going to open on these similar ideas, and I  
14 think that's a testament to the fact that there  
15 has been a sharing of good ideas. I think  
16 without charter schools it's safe to say that  
17 part of the contract which said now you're free  
18 to experiment, now you're free to try new  
19 things, probably wouldn't have happened. I will  
20 say now, respectfully but strongly, one of the  
21 problems is we go into schools and we try to  
22 work with district schools and we do try to do  
23 our collaboration. When words like, phrases  
24 like "real public schools" when we're compared  
25 with the perpetuating Brown versus Board of

1  
2 Education, when we are accused of perpetuating  
3 educational apartheid, that doesn't make it  
4 easier to share practices. That doesn't make  
5 the room and the atmosphere better for  
6 collaboration and learning. And I ask this  
7 council, you have a huge responsibility. You  
8 are looked to as the policy makers, and the  
9 language you send and the cues you send out to  
10 the broader community matter, and I think we  
11 all want to get to a point where we have better  
12 conversations and we are able to share more,  
13 and I think some of the nasty rhetoric that's  
14 not limited to one side, but I think of the  
15 nasty rhetoric really hurts that from happening  
16 and makes it much, much more difficult. To  
17 address Council Member Reynoso had talked about  
18 over-the-counter and whether or not charters  
19 are able to take and how they treat over-the-  
20 counter children. State law requires that you  
21 fulfil your lottery first, and then off your  
22 waiting list there's a little bit more  
23 flexibility, but a school with a huge demand  
24 doesn't have a lot of freedom to take over-the-  
25 counters. And I would say this is the same for

1  
2 the district. I don't imagine PS 321 is taking  
3 a lot of over-the-counter kids. Schools that  
4 parents want that are in demand have less room  
5 for other kids to come in outside of the  
6 regular enrollment period. We can all agree in  
7 this room or we can all disagree that that's  
8 worth changing and it's worth getting over-the-  
9 counter kids into 321 and into charters. That's  
10 a great discussion to have, but let's not limit  
11 it to one part of the educational system.

12 Council Member Levin talked about homeless kids  
13 and whether or not they're served. We have  
14 schools like Mont Haven [sic], Broomstreet  
15 [sic] Academy and Rhodes [sic] that  
16 specifically do serve kids in these populations  
17 and these circumstances and from foster care.  
18 Councilman also mentioned the budget and the 20  
19 percent growth in the budget. That growth is  
20 happening simply because charter parents are  
21 choosing to send the kids to these schools.  
22 There's no magic. There's no maleficence.  
23 There's no charters are getting more or less.  
24 It is per pupil, and some of the parents in  
25 this room are the same people that wanted this

1  
2 for their kids. That in and of itself simply is  
3 why those numbers, the part of the charter  
4 budget, is going up. Which brings me to one of  
5 my last points, the legislation in Albany that  
6 has allowed schools to have, to be guaranteed  
7 the use of space. We of course do support  
8 this. We thought that a flaw in the charter law  
9 from the beginning was that if a school doesn't  
10 have funding for facilities, they're operating  
11 a huge disadvantage, and without co-location it  
12 could have actually killed the charter school  
13 movement. What we would ask, and I know that  
14 everybody in this room or I've heard people  
15 talk about we don't like the networks, but we  
16 like the independent schools or we like this  
17 and don't like that. There are 68 charter  
18 schools that are the absolute bar none worst  
19 funded public schools in New York City. They  
20 pay their own rent, as much as 20 to 25 percent  
21 of money that they should be using for  
22 occupational therapists, for guidance  
23 counselors, for teachers, that goes to rent.  
24 And that is not something that got addressed in  
25 the budget and I assume as people of good will



1  
2 would want to see that all--want to see funding  
3 equity, want to see all kids educated. We would  
4 love your help with the Assembly and the Senate  
5 next year to go to Albany and fight for these  
6 schools and get them to parity in funding the  
7 same as every other school in New York City  
8 receives. I will not take any more of your  
9 time. Thank you. I'm open to questions.

10 CHAIRPERSON DROMM: Thank you. And  
11 were going to speak, or no? Okay, so good.  
12 Alright. So some of your points are very well  
13 taken, and I don't disagree with everything  
14 that you've said. However, there are some  
15 concerns that we share, and I think the thought  
16 that comes to mind when I hear your testimony,  
17 Erik, if I may say Erik because I do know you  
18 well from these hearings, is that we need to  
19 level the playing field to a certain extent in  
20 terms of what it is that public schools get in  
21 terms of the dollars that they get and the  
22 money that the charter schools get as well. So  
23 I think that's part of the discussion that  
24 needs to happen moving forward and I would  
25 agree with you on that.

1  
2           ERIK JOERSS: Councilman, may I  
3 respond to that?

4           CHAIRPERSON DROMM: Yes.

5           ERIK JOERSS: In that, with that  
6 logic and with that same point, and I saw in  
7 the committee report the idea, and in the  
8 Annenberg [sic] report that came out there was  
9 an idea of well-resourced networks, well-  
10 resourced charter schools should not just get  
11 their per pupil. They should have to pay some  
12 of that back. I've never heard that  
13 conversation happen about well-resourced  
14 district schools. I've never heard about PS 321  
15 raising a million dollars a year through their  
16 PTA about their responsibility to give that to  
17 poorer schools. All we talk about from the  
18 philanthropic dollars is the charters. We don't  
19 talk about the money that district schools  
20 raise or what should be done with that, and  
21 maybe it's an oversight, but I know from a lot  
22 of people sitting on our side of the table, it  
23 is suspiciously deliberate that there are a  
24 bunch of things thrown out to kind of knee cap  
25 us.

1  
2 CHAIRPERSON DROMM: Well, I don't  
3 know if it's suspiciously deliberate or if it's  
4 because the head of one of your charter schools  
5 is out there promoting these things. I think  
6 that the head of Success Academy just had a  
7 fund raiser for 7.7 million dollars, which was  
8 headlined by Jeb Bush, of all people. So when  
9 you have Jeb Bush at your event and you're  
10 doing this, I think that's why it becomes part  
11 of the argument and the fight here. So I get  
12 the point of what you're saying that there are  
13 some public schools who are able to raise these  
14 funds, and they're probably in the more well to  
15 do areas. I'm sure they're in the more well to  
16 do areas, but when you're talking 7.7 million  
17 dollars in one night and Jeb Bush is the  
18 headliner, there's an equity there, Erik. There  
19 really is. It just--you can't compare it to  
20 what's going on in any of the public schools.  
21 That's my deep belief. We all argue that, and  
22 I'm sure we'll--we're not going to settle that  
23 here at this hearing.

24 ERIK JOERSS: Fair enough.  
25

1  
2 CHAIRPERSON DROMM: I also want to  
3 ask you a little bit about the extended days,  
4 etcetera, that you've been able to use as a  
5 model, but to be honest with you, the DOE had  
6 extended days going back to the 90's where  
7 teachers chose for a 15 percent differential to  
8 go into hard to staff schools and they would  
9 get that money, and they had to work extended  
10 days and extended years. I believe that they  
11 had to come in a week before, a week after, and  
12 then the days ran until like from maybe from  
13 eight until four o'clock. That's actually a  
14 public school idea, and that idea worked well  
15 and that was a model that the former  
16 Chancellor, I believe it ended under Chancellor  
17 Klein, and I don't ever understand why that  
18 model really ended. So--

19 ERIK JOERSS: I don't either. That's  
20 a fantastic question.

21 CHAIRPERSON DROMM: So I just want to  
22 point that out. I think part of the concern  
23 that we have here with the charter schools is  
24 the issue of oversight and who has oversight  
25 over the charter networks. Now the DOE has some

1  
2 oversight, but obviously not enough oversight  
3 over what's going on in these charter schools,  
4 but how do you respond to that question? Who  
5 is providing oversight for these things? Do  
6 you audit them? Do you as the Charter School  
7 Center have a relationship with these charter  
8 schools that can ensure the public that these  
9 types of situations aren't going on? I mean, I  
10 gave two examples of these networks where we  
11 found out, you know, egregious violations of  
12 discipline codes and the way that children  
13 should be treated are going on, but who has  
14 that oversight?

15           ERIK JOERSS: The authorizers do,  
16 and every authorizer has. I mean, you mentioned  
17 and you know, at the risk of being too cute,  
18 you point out the discipline problems and that  
19 you compare it to corporal punishment. There's  
20 only been one charter school that has actually  
21 been found to actually use corporal punishment,  
22 and that was the UFT charter school, and what  
23 the authorizer has a right to do then is go in  
24 and do mandatory training for those--

25

1  
2 CHAIRPERSON DROMM: [interposing] But  
3 excuse me. Let me just--excuse me. Let's hold  
4 the applause. That teacher was reprimanded.  
5 That teacher was taken to task on it. This is a  
6 policy. It's different than finding a teacher  
7 who has committed a one wrong. That could  
8 happen anywhere. So for you to say that is  
9 adding fuel to the fire of what it is that  
10 we're trying to discuss here today.

11 ERIK JOERSS: That's a fair--

12 CHAIRPERSON DROMM: [interposing] I'm  
13 talking policy. And when you have something  
14 written into policy, something as egregious as  
15 the policy that I pointed out today, it's a  
16 problem, and do you agree that this is corporal  
17 punishment?

18 ERIK JOERSS: I don't know if I could  
19 call it corporal punishment, which is really a  
20 legal term. I think that could be certainly  
21 humiliating for a kid.

22 CHAIRPERSON DROMM: Erik, I mean,  
23 come on. I mean, by all standards of decency,  
24 this is a horrible thing to put a child  
25 through.

1  
2           ERIK JOERSS: And if it is said--

3           [off mic]

4           CHAIRPERSON DROMM: Excuse me. Hold--  
5 please, please. We don't want to get into a  
6 screaming match. We have had a very civil  
7 discussion here for the most part. We have had  
8 some moments that were heated, but I want to  
9 keep this as a civil discussion. These are  
10 issues of importance for all of us. You have  
11 your opinion. I have mine. Let's hash it out.  
12 Let's move forward on these issues.

13           ERIK JOERSS: If that policy is in  
14 place for a half an hour period versus if it's  
15 a week or two or three weeks, those are very  
16 different things. I remember being in a public  
17 schools growing up and being pulled out and sat  
18 on the sideline away from all the other kids. I  
19 didn't like it. I wouldn't want my kid to go  
20 through it, but I've seen that in district  
21 schools too.

22           CHAIRPERSON DROMM: Erik, this is a  
23 problem. This policy is a huge problem, and if  
24 the Charter School Center is going to defend  
25

1  
2 that, it undermines any of the good stuff that  
3 you're doing.

4           ERIK JOERSS: I am not saying it's a  
5 good policy.

6           CHAIRPERSON DROMM: It has to--this  
7 is where we need you guys to call this stuff  
8 out, and to say that this is wrong. Now let me  
9 go on, because we could argue this all day. Do  
10 you--is Success Academy part of your network?

11           ERIK JOERSS: There is no network.  
12 We are not--

13           CHAIRPERSON DROMM: [interposing] Or  
14 of your Charter School Center group?

15           ERIK JOERSS: We are not an  
16 association. We are an independent not for  
17 profit--

18           CHAIRPERSON DROMM: [interposing] Can  
19 you offer any excuse today for where Eva  
20 Moskowitz is?

21           ERIK JOERSS: I have no idea where  
22 Eva Moskowitz--

23           CHAIRPERSON DROMM: [interposing]  
24 Where's Eva? Where's Eva?



1  
2           ERIK JOERSS: I imagine educating  
3 children.

4           CHAIRPERSON DROMM: I mean, where is  
5 Eva? She's the one who's speaking out, doing  
6 all this stuff, has the relationship with the  
7 Governor, but where's Eva? It's like remember  
8 the old commercial on TV, "Where's the beef?"  
9 Right? Where's Eva? Okay. And this shines  
10 very badly on the charter school movement. And  
11 in fact, she used to be Chair of this  
12 committee. She should know why she should have  
13 been here, okay? This is--these are the issues  
14 that we're talking about here. Now, John from  
15 CSA, you said that there are charter schools  
16 that are enjoying outrageously unfair  
17 advantages. Well, startup funding for charter  
18 schools are not exactly sure. Fiscal year 2014,  
19 the Achievement First Aspire Charter School got  
20 124,508 funneled through DYCD. Brooklyn Urban  
21 Garden Charter School, 117, Citizens of the  
22 World, 100,000, Great Oaks Charter School,  
23 94,000, so forth and so on, and it mentions I  
24 think almost--many of them if not all of them.  
25 But Harlem Success Academy Charter School

1  
2 709,000 dollars, seven times what the other  
3 charter schools are getting. Now, since Eva is  
4 not here, I can't answer that. But I think it  
5 speaks to what it is that you were addressing  
6 in your testimony that other charter schools  
7 are enjoying outrageously unfair advantages.  
8 When are we going to get an answer for this  
9 stuff?

10           JOHN KHANI: We totally agree with  
11 you that that's one of the problems that we're  
12 facing, that there are in some cases at some  
13 charters unfair and outrageous advantages they  
14 have not only over other schools, but also some  
15 of their fellow charter schools.

16           CHAIRPERSON DROMM: So let me ask  
17 again, I think the average salary of a  
18 principal is probably about 125, 135,000,  
19 somewhere in that area, and that's with  
20 probably, you know, a good number of years of  
21 experience. You don't start out at that.  
22 Deborah Kenney [sp?], Village Academy Network,  
23 499,000 dollars, Eva Moskowitz, 475,000  
24 dollars, David Levin, KIPP, 395,000 dollars,  
25 Ian Row [sp?], 325. It goes on and on and on

1  
2 and on. Why are these types of salaries  
3 necessary for these CEOs? Can anybody answer  
4 that question?

5           JOHN KHANI: I can't support it. What  
6 I also think we need to hear is that our  
7 Chancellor of 1.1 million children only gets  
8 250,000 dollars.

9           CHAIRPERSON DROMM: I was going to  
10 get to that.

11           JOHN KHANI: And I don't understand  
12 that.

13           CHAIRPERSON DROMM: I was going to  
14 get to that. It's five times what a Council  
15 Member would make. I just don't see any  
16 justification for this, unless this is big  
17 business pushing into the public school system  
18 and making a profit even though they're  
19 nonprofit organizations. This is a roundabout  
20 way to circumvent the law to enrich themselves.  
21 And I know in one instance, the husband of one  
22 of these CEOs is making an additional 200-  
23 250,000 dollars. So they are making three  
24 quarters of a million dollars off of their  
25 charter schools. It's--this is the issue. I

1  
2 would suggest that the New York City Charter  
3 School Center go back and address these issues  
4 in a formal way and come out with policy on  
5 these issues so that we can be clear about  
6 where it is that you stand on these issues, and  
7 so that we know that if in fact we're going to  
8 have charter schools, which it seems like  
9 that's what the governor wants, that's what  
10 some people want for their children, that in  
11 fact they are community based charter schools  
12 with average salaries offered to people in--  
13 even to what regular educators in New York City  
14 public schools are making or even Council  
15 Members are making, or the Chancellor is  
16 making. I mean, you know, you could reduce it.  
17 You know, you could cut it in half and you  
18 still would be making more than the Chancellor.  
19 The Chancellor has 1,700 schools. I don't get  
20 it. I just don't understand how we are  
21 establishing a separate and unequal system that  
22 actually becomes educational apartheid. That's  
23 what I see happening when you talk about these  
24 types of things, especially when you talk about  
25 executives making these types of salaries in

1  
2 the lowest income communities in New York City.  
3 Okay. This is an insult to the people who live  
4 in those communities that people would come  
5 into those communities and make those types of  
6 salaries off of their children. Sorry.

7           MICHAEL REGNIER: Mr. Chairman, if I  
8 may.

9           CHAIRPERSON DROMM: Yes.

10           MICHAEL REGNIER: So an important  
11 distinction to realize is that the per pupil  
12 funding that goes to any public charter school,  
13 which are all required to be 501C3 nonprofit  
14 organizations is fixed. This past year it's  
15 been 13,527 dollars per pupil. There's no  
16 difference across one network or one school.  
17 The premise of the charter school movement is  
18 that we haven't got it all figured out. We have  
19 a long way to go towards the kind of academic  
20 achievement that we're hoping to provide to all  
21 students in our city, and one way that we can  
22 do that is to provide different combinations of  
23 resources, different career ladders, different  
24 incentive structures and different staffing in  
25 order to see what can be done with the same

1  
2 amount of money that the DOE spends on its  
3 particular configurations.

4           CHAIRPERSON DROMM: That's why I'm  
5 glad I gave you the opportunity to respond to  
6 these questions, but nobody on the panel, and  
7 excuse me John, I'm going to separate John out,  
8 he's from a different organizations, the  
9 Charter School Center, is willing to say one,  
10 that this policy is wrong, is willing to say  
11 two, that the salaries that the people make is  
12 wrong, that they're willing to say that the  
13 startup cost or the startup money that they get  
14 is disproportionately distributed. I need to  
15 hear that from you. When are we going to hear  
16 that from you? I'm glad that you say that  
17 you're not there yet, but when are we going to  
18 hear these types of discussions coming from the  
19 Charter School Center?

20           MICHAEL REGNIER: This is, I think I  
21 speak for Erik as well, the first we've heard  
22 of this particular policy. I haven't had a  
23 chance to find out anything about how often--

24           CHAIRPERSON DROMM: [interposing] I  
25 have it here, so you know what you can do, take

1  
2 a look at it and I'll call you back up to give  
3 testimony when this is done.

4           MICHAEL REGNIER: We look forward to  
5 it.

6           CHAIRPERSON DROMM: Alright?

7           MICHAEL REGNIER: Yeah.

8           CHAIRPERSON DROMM: Okay, so here.  
9 Sergeant, would you bring this over to him,  
10 please?

11           MICHAEL REGNIER: In terms of whether  
12 a particular salary is wrong, I think all of  
13 our level of investment in public schools is  
14 wrong to the extent that it fails to deliver  
15 for kids. If the Council is concerned about  
16 achievement and that is the first order of  
17 business, then that should be the first  
18 question is which schools are delivering for  
19 kids--

20           CHAIRPERSON DROMM: [interposing]  
21 Sir, it depends on how you determine success.

22           MICHAEL REGNIER: Thank you, Chair.

23           CHAIRPERSON DROMM: If you're basing  
24 it on reading tests, maybe somebody has done  
25 well, but from my understanding is that a

1  
2 number of these network charter schools have  
3 testing coordinators who focus only on raising  
4 test scores. Public schools do not have testing  
5 coordinators that walk around and figure out  
6 how test scores can be raised, and there are  
7 many other measures of success.

8           MICHAEL REGNIER: It was, I think, a  
9 widely shared view after the adoption of the  
10 Common Core Standards among unions, among DOE  
11 folks, among charter educators that the  
12 problems of narrow gameable tests were behind  
13 us. If you've looked at the Common Core exams,  
14 it's not a matter of--

15           CHAIRPERSON DROMM: [interposing] But  
16 you're basing your statement on the success  
17 that you claim some of your schools have based  
18 on those Common Core assessments. In  
19 particular, that was Eva Moskowitz's case that  
20 she made. And so please don't move away from  
21 that. It's not us who is doing it. It's your  
22 members, your groups. I differentiate also  
23 between you and the community based charter  
24 schools. Okay? That's who's doing it. Not us  
25 in here the council, it is your organization.



1  
2 you need to move away from that. We need to  
3 have an educational discussion to say that  
4 charter schools should not only be measured on  
5 testing, public schools should not only be  
6 measured on testing, but let's talk honestly.

7           ERIK JOERSS: One thing, Mr.  
8 Chairman. You're making this much clearer  
9 distinction than it actually is. The networks  
10 were not sent from Mars to do harm. You have  
11 networks like Democracy Prep. You have networks  
12 all over the city that are doing fantastic  
13 things in their community. They're doing  
14 fantastic things sharing best practices. You  
15 have networks that do not operate at all above  
16 their per pupil. When you talk about what  
17 delivering results means, yes, one way we  
18 measure achievement is our grades, our test  
19 scores. Another way we measure it is demand  
20 from parents. Another way we measure is how  
21 these kids, how many get to college and do  
22 well. Of course it's more holistic than just  
23 test scores. Because a newspaper reporter  
24 writes a story that this is just test scores  
25 doesn't reflect what everybody else in the

1  
2 movement believes. If you look at a school like  
3 Democracy Prep--

4 CHAIRPERSON DROMM: [interposing]

5 Erik--

6 ERIK JOERSS: [interposing] who are  
7 uncommon--

8 CHAIRPERSON DROMM: [interposing]

9 Charter school leaders are pointing to these  
10 test scores.

11 ERIK JOERSS: Among other things.

12 CHAIRPERSON DROMM: Well, they focus  
13 on it.

14 MICHAEL REGNIER: Mr. Chairman--

15 CHAIRPERSON DROMM: [interposing]

16 That's the big thing.

17 MICHAEL REGNIER: We are certainly  
18 pointing to test scores because we think that  
19 these tests are rigorous and valid and the  
20 teachers union among many others called them  
21 that and heralded the advent of tests that were  
22 not so predictable, that were not so narrow,  
23 and that were not so gameable. The test scores  
24 mean something. They don't mean everything, but  
25 they mean something. And when we talk about

1 college ready rates and lament the fact that  
2 those rates are low among African-American and  
3 Latino children in the city as many of the  
4 Council Members rightfully do realize that's an  
5 analysis based on those same test scores.  
6 Charter schools are taking those concerns  
7 seriously and day in and day out for an extra  
8 300 hours a school year are trying to do their  
9 best to do something about it.

11 CHAIRPERSON DROMM: We can go on--  
12 we'll have another hearing on testing, okay?  
13 That's another issue.

14 MICHAEL REGNIER: That sounds like  
15 even more fun.

16 CHAIRPERSON DROMM: But I do have  
17 colleagues that want to have questions as well.  
18 Council Member Barron?

19 COUNCIL MEMBER BARRON: Thank you,  
20 Mr. Chair. I believe it was Mr. Joerss, is that  
21 your pronunciation? Joerss, okay.

22 ERIK JOERSS: Thanks.

23 COUNCIL MEMBER BARRON: Who spoke  
24 about an atmosphere that's nasty and there's a  
25 lot of rhetoric going on, perhaps that was

1 before I came because during the time that I've  
2 been here I think that we've had perhaps very  
3 different divergent conversations, but I think  
4 very important, and in as much as our society  
5 often times tries to sugarcoat issues that are  
6 uncomfortable to talk about and I'm thinking  
7 specifically about race and how they push it  
8 under the table and don't want to be honest  
9 about discussions about race, the issue never  
10 gets addressed so it doesn't get resolved. So I  
11 think that in as much as we have differing  
12 points of view, strongly differing points of  
13 view on charter schools they need to be brought  
14 out, and I commend the Chair for having this  
15 hearing so that they can be put out, can all be  
16 brought before us so that we can address those  
17 issues that are there. Now, you talk about a  
18 long waiting list for charter schools, that's  
19 because I think all parents want the best for  
20 their children, and when they see the  
21 opportunity to have a smaller class size, to  
22 have an extended day, to have wrap around  
23 services, to have a bus pick their children up  
24 after the extended day and bring them home, and  
25

1  
2 to have all other kinds of additional support,  
3 that's something that many parents would want.  
4 So until we get significant results in the  
5 performance which has not been demonstrated,  
6 people are going to want to do the best they  
7 can for their children. So I want to put that  
8 one. And in terms of teacher evaluation, if we  
9 all agree that testing is important and we  
10 understand that that's only a portion of  
11 teacher evaluation, we need to make sure that  
12 as your model can talk about moving away from  
13 having such a large percentage of teacher  
14 evaluations based on testing, that that needs  
15 to be given to the community public school as  
16 well so that charters don't have the advantage  
17 of saying, "Okay, we only have to do 20 percent  
18 rather than 40 percent." So if it's good enough  
19 for the charter schools, we need to look at  
20 having it exist in the public schools as well.  
21 Thank you. Oh, and one other thing. I certainly  
22 have to agree with the Chair. For me, this is  
23 an instance of once again black children in  
24 this instance being seen as a commodity and  
25 being seen as a way to make money. We know that

1  
2 back in the 1700's/1600's Wall Street was where  
3 that commodity was exchanged and the slave  
4 auction was right there. Here's another  
5 instance because charter schools are--thank  
6 you--proliferating in the black and Latino low  
7 income areas. So it's an opportunity under the  
8 guise of saying that we want to help students  
9 do well, under the banner, I won't say the  
10 guise, under the banner of saying we want to  
11 improve student results, that people are making  
12 millions and that they're having organizations  
13 and institutions established that are also  
14 making millions through the contracts that they  
15 get. So I echo what the chairman has said.  
16 Thank you.

17 CHAIRPERSON DROMM: Thank you.  
18 Council Member Treyger?

19 COUNCIL MEMBER TREYGER: Thank you.  
20 Mr. Joerss, right? Mr. Joerss, would you  
21 consider--do you feel that building a home  
22 requires critical thinking?

23 ERIK JOERSS: Yes.

24 COUNCIL MEMBER TREYGER: Do you think  
25 that building a home is something that

1  
2 exemplifies a career readiness and career  
3 building skill?

4           ERIK JOERSS: For a specific career,  
5 certainly.

6           COUNCIL MEMBER TREYGER: Right. So  
7 the Department of Education was trying to label  
8 a school like Grady High School ineffective  
9 based on the measures that they were imposing  
10 on the school, and many of those, most of those  
11 children are special needs kids under the  
12 DOE's, you know, prism, but they were building  
13 a home and they were building car engines. I  
14 ask you, sir, and respectfully I can't, can  
15 you--would you know where to begin to build a  
16 car engine or to build a home? I mean, I ask  
17 you respectfully. I would not know where to  
18 begin.

19           ERIK JOERSS: My wife does all the  
20 construction in our family.

21           COUNCIL MEMBER TREYGER: Right. So  
22 understand that I take issue with sometimes  
23 your organization's descriptions of our  
24 district schools. When you say that they're  
25 failing or when the DOE said that they were

1  
2 failing, I take issue, because this goes to the  
3 heart of this debate. What we define as  
4 progress and success and what we define as  
5 failure. The children in Grady High School to  
6 me exhibit skills that both you and I don't  
7 have. They exhibit skills that to me are  
8 extraordinary, but they were being measured  
9 under a system in my opinion that was really  
10 designed for them to fail and they were being  
11 unfairly labeled as special needs, when in my  
12 opinion they have talents that our system never  
13 brought out of them, and I believe that there  
14 is an industry built upon this perpetuation of  
15 failure and that is what we're seeing continued  
16 with the DOE. I will never criticize any  
17 educator whether in the charter school or  
18 public school about being innovative, but  
19 innovation should not have any boundaries.  
20 There are amazing things that we did in my  
21 public school that I think we'd love to share  
22 with all schools regardless of what title. But  
23 to me, Mr. Chairman, we must get to the heart  
24 of this debate of what we define as progress,  
25 what we define as success, what we define--you



1  
2 know there were some successful CEOs that were  
3 high school drop outs. There was some  
4 successful people that never actually finished  
5 school. I have to say that. Are they failures?  
6 But I'm not suggesting any kid drop out. I'm  
7 not suggesting anyone leave the system, but I  
8 will suggest that just because a kid doesn't  
9 pass a test doesn't make them a failure. It  
10 doesn't make the system a failure, because I  
11 will say that many of the educators had no part  
12 in designing those exams. As a matter of fact,  
13 let's go in--let's discuss Common Core, because  
14 I was a teacher that had to implement Common  
15 Core. I had to implement Common Core to my  
16 instruction to a final assessment that was  
17 designed pre-Common Core. The Regents for  
18 Global History was not aligned with Common  
19 Core, but we were forced to align our lesson  
20 plans with Common Core. So we're basically  
21 preparing our kids for an exam they have no  
22 knowledge of, they have no understanding of.  
23 That, to me, is what I mean by designing a  
24 system where kids are going to fail. It's a  
25 self-fulfilling prophecy. So I share your

1  
2 passion and your desire for innovation. I share  
3 your desire for sharing those best practices,  
4 but understand that at the heart of this debate  
5 in my opinion is how we measure success, and  
6 that principal of Grady, when she was told her  
7 school was ineffective, she did something very  
8 courageous. She had security escort the Deputy  
9 Chancellor out of her building, and I applaud  
10 her. I applaud Principal Maione and she retired  
11 because she said, "Mark, the system wore me  
12 down." And when you speak to teachers, when you  
13 speak to people--I still speak to--my wife's a  
14 teacher. My family are educators. I have  
15 friends in education. It's the system, sir.  
16 It's not the kids. They love the kids. It's the  
17 system that is designed to perpetuate failure  
18 that is wearing people down, and I would urge  
19 you to work with us to turn that system around.  
20 Thank you.

21                   ERIK JOERSS: Thank you. We look  
22 forward to doing so.

23                   CHAIRPERSON DROMM: Okay. Thank you.  
24 I'm going to call the next panel. Thank you for  
25 staying with us and for being here. Thank you

1  
2 for coming in. Our next panel is Stacy Gauthier  
3 from Renaissance Charter School, Yaacov Levy,  
4 Renaissance Charter School, Vashti Acosta from  
5 Amber Charter School, and Rafiq Kalam Id-Din  
6 from Teaching Firm of America Professional Prep  
7 Charter School. Okay. We do have memos of  
8 support for the legislation from the United  
9 Federation of Teachers. That's for Intro Number  
10 12. We have for the record a statement from the  
11 Manhattan Charter School Sonia Park, Executive  
12 Director. For the record we have--okay, Rosalie  
13 Fren [sp?], PHD, a statement for the record.  
14 Testimony from Jeffery Canada from Harlem  
15 Children Zone for the record, and a statement  
16 from Susanna de Jesus [sp?] for the record as  
17 well. So I'd like to ask you all to please  
18 raise your right hand. I'm going to swear you  
19 in. Do you swear to tell the truth, the whole  
20 truth and nothing but the truth and to answer  
21 Council Member questions honestly? Okay. Let's  
22 start with Stacy. You want to start the other  
23 way? Okay, we'll start over there.

24                   RAFIQ KALAM ID-DIN: Thank you,  
25 Chairman, good afternoon members of City

1 Council and invited guests. My name is Rafiq  
2 Kalam Id-Din. I'm the founder, managing partner  
3 and lead teacher of TFOA, Professional Prep  
4 Charter School in Bed-Stuy Brooklyn. You're  
5 going to hear from many schools that are a part  
6 of our coalition of community charter schools,  
7 and part of what I'm here to do is simply to  
8 kind of frame that and frame the conversation  
9 that we're going to have. You know, I've been  
10 sitting her for a few hours listening to the  
11 questions and the tone and tune of the  
12 conversation about what a few people aren't  
13 doing well, and we want hopefully to be the  
14 agents, which is the reason why we came  
15 together as part of this coalition, to be the  
16 agents of a positive conversation, a  
17 constructive conversation to talk about the  
18 things that many of our schools, our public  
19 schools are doing well and how we are committed  
20 to this work. I, myself, am a beneficiary of  
21 the civil rights movement. I was struck by the  
22 use of the words apartheid and segregation. To  
23 be associated with the work that I've committed  
24 to doing and every single school leader and  
25

1  
2 change agent that I know who has opened a  
3 charter school is also committed to doing. And  
4 so I hope that some of the testimony that you  
5 hear from us today helps to place that in a  
6 different light in our commitment. I think as  
7 we look to change policies that in practices  
8 that are clearly harmful to our children that  
9 is all with an eye that we want to do what's  
10 best. I'm going to leave it to people who are  
11 far more experience and eloquent than I am to  
12 talk specifically about some of our work, but I  
13 do want to share a bit about this. You know,  
14 we--the conversation about compensation and the  
15 conversation about the structures of our  
16 schools, we are laboratories of innovation. Our  
17 school itself, we're a teacher led school.  
18 We're one of the only ones in the state and  
19 maybe the country where our goal is to increase  
20 the compensation for teachers. I teach full  
21 time. I'm a third grade teacher. I've had my  
22 students since first grade, and I'm one of the  
23 school leaders and school founders. I think  
24 that's a good thing. I want to caution us not  
25 to say that we shouldn't criticize. I think as

1 public servants our job is to make sure that  
2 every dollar in the public trust is being used  
3 in a way that is proper and right, particularly  
4 when it comes to our most at-risk students. But  
5 I want to caution us about the conversation and  
6 rhetoric that on one hand might say that the  
7 millions of dollars that are be given to be  
8 used on behalf of some of our most at-risk  
9 students, that that should stop. Perhaps we  
10 should definitely have a conversation about how  
11 they're used, but I think we should ask for  
12 every single dollar that we can to serve some  
13 of our most at-risk students, and I think that  
14 that's important for us to focus on and to  
15 remember. You know, I, you know, I know that my  
16 school started just a few years ago and my  
17 sister Stacey and sister Vashti, people who are  
18 pioneers in this work have done some amazing  
19 and incredible things and what you'll hear from  
20 not just the panel members here but then the  
21 other members of our coalition, over 50 schools  
22 by the way I should add. You will hear about  
23 some of the amazing work that they've been  
24 doing for years to shift the conversation not  
25

1  
2 just about charter school, but about every  
3 single public school and how we do this work.  
4 So I'm grateful for the opportunity to share a  
5 bit of that and look forward to answering  
6 questions in a few minutes. I'm going to turn  
7 it over to my colleague, Stacy.

8 STACY GAUTHIER: Hi, good afternoon,  
9 Chairman Dromm and members of the New York City  
10 Council on Education. My name is Stacey  
11 Gauthier and I'm the principal of the  
12 Renaissance Charter School in Jackson Heights  
13 Queens. Thank you for the opportunity to  
14 provide testimony today. I will not read my  
15 entire testimony, although the beginning part  
16 does show the statistics of my school, but I do  
17 want to highlight for the people who are here  
18 today that we are a K-12 public charter school.  
19 We were founded in April 1992 by 15 teachers  
20 and parents who were concerned about the future  
21 of New York City, and we believed that a model  
22 that values collaboration, community and  
23 humanistic education would promote student  
24 academic success, social/emotional well-being  
25 and happiness, and we think we've done a great

1  
2 job with that having gone through two renewals  
3 and getting ready to go through our third  
4 renewal. We're also a conversion charter  
5 school. We're fully unionized. We have members  
6 from the CSA, and I want to thank the CSA for  
7 coming and giving a balanced testimony on  
8 behalf of community-based charter schools, the  
9 UFT and DC 37. In terms of our statistics, we  
10 are predominantly minority school with over 80  
11 percent of our students having minority status,  
12 71 percent receiving free or reduced lunch, 15  
13 percent special education. Six percent of our  
14 students are currently classified as English  
15 language learners with a much larger proportion  
16 who have tested out, and I want to acknowledge  
17 what was said earlier by one of the Council  
18 Members about the need to continue to support  
19 these students, because even though they test  
20 out they are not fully English language  
21 learners. We all know that. We also, I believe,  
22 are the only charter school that has a  
23 partnership with District 75 and they're  
24 integrated into our general education program.  
25 We graduated our first cohort of students who



1  
2 are primarily students of autism in June of  
3 2010. We service students in District 30 based  
4 on state law. That spans all the way from Long  
5 Island city to East Elmhurst and every  
6 neighborhood in between, and as many people  
7 might know about that area of Queens, it's  
8 characterized by rich economic and ethnic  
9 diversity and haunting economic disparities.  
10 What I would like to do is just highlight some  
11 of the ways that Renaissance is living the  
12 principles of our coalition and address some of  
13 the questions that came up, specifically  
14 transparency and accountability. Renaissance  
15 has a constituency based Board of Trustees. We  
16 have educators, community members, parent and  
17 staff representatives all on our board. Our  
18 Board minutes are up on our website. Anybody  
19 can see them. Our Board meetings are open.  
20 We're audited annually according to law by an  
21 independent accountant and that financial  
22 information is also posted up on our website.  
23 In addition to rigorous authorization and  
24 monitoring by the Department of Ed where we  
25 have to submit reports concerning our

1  
2 operations, fiscal governance, educational  
3 compliance to law and all of our special  
4 education information. We also have a policy  
5 that commits to backfilling open seats, and  
6 even though there was a big conversation around  
7 over-the-counter students, I would welcome a  
8 question to explain how we're able to do that.  
9 Very quickly, we serve a group of at-risk  
10 students and our population includes students  
11 in addition to high socioeconomic need,  
12 children of immigrant families, students with  
13 incarcerated parents, students in foster care,  
14 students with mental health issues, students  
15 residing in shelters, and additionally LBGTQ  
16 students who are also very much at risk if they  
17 don't get the proper support which we believe  
18 our school does. I want to also talk about  
19 collaboration because that was raised and one  
20 of the things that we are committed to is  
21 collaborating with other charter schools and  
22 district schools. We're currently working with  
23 two charter schools, Wildcat Norwall [sic]  
24 Neighborhood Charter School on a Carole M.  
25 White [sic] Physical Fitness Grant, and we are

1  
2 partnering with Truman High School in the Bronx  
3 on a best practice dissemination grant that was  
4 mentioned before. I'm really delighted to  
5 actually be here because we'd also like to ask  
6 a little help and support from the Council to  
7 make some of the things that we want to do a  
8 little bit easier. I've had these conversations  
9 with Council Member Dromm and he's been very  
10 supportive. Charter schools should be hubs of  
11 community involvement and partnerships, and  
12 sometimes because of the system set up, that  
13 doesn't always happen, and we want to be able  
14 to do that. We consider ourselves a part of the  
15 community and its very, very important for us  
16 to be able to have the community be part of our  
17 school. And finally, I want to just say that we  
18 value autonomy in the public trust and we  
19 believe that that autonomy allows us to promote  
20 innovation, and with that, though, it's very  
21 important to talk about that public trust piece  
22 and we acknowledge what you're saying. We  
23 support the bill that's being put forward by  
24 the Council and we hope to be able to work with  
25 you going forward to show a different face to

1  
2 charter schools, and my goal if we leave today  
3 is that people will see that there's a group of  
4 us doing exactly what the Charter School Act  
5 intended for us to do. Thank you very much.

6 CHAIRPERSON DROMM: Thank you. Next?

7 YAACOV LEVY: Good afternoon,  
8 Council Member Dromm. My name is Yaacov Levy.  
9 I'm a teacher at the Renaissance Charter  
10 School. I teach chemistry. I'm here really  
11 because I've heard a lot of very negative  
12 things about charter schools, and honestly, if  
13 those things are true then it's terrible, but  
14 that's not the school that I work at, and I  
15 think that we all get painted with the same  
16 brush. The Renaissance Charter School, as Stacy  
17 said, besides for the fact that, you know,  
18 everything that this bill put forward, we've  
19 done that. We've done that for years, all our  
20 enrollment data, everything that Stacy said. I  
21 have classes where 40--I have a chemistry class  
22 where 40 percent of the students are IEPs. I  
23 co-teach with other teachers. I have students  
24 in my class who hardly speak English and it's a  
25 struggle constantly. Our charter school is

1  
2 serving the needs of the community. And I just  
3 wanted to say that the--I've heard a lot. Some  
4 Council Members were saying where's the  
5 innovation in charter schools? I can't speak  
6 for all charter schools, but I can speak for  
7 mine. Our charter school, we have a tremendous  
8 amount of autonomy given to the school, which  
9 the Principal Stacy has allowed to filter down  
10 to the teachers. I think in the new UFT  
11 contract there's a professional development  
12 time given in once a week, I don't know the  
13 full details of it, for the teachers just to  
14 kind of talk to each other built into their  
15 school day about their classes. My school has  
16 done that for years. Every single Wednesday for  
17 two hours I sit with four other science  
18 teachers and we just sit and talk about our  
19 classes and what we could do to improve and  
20 what's not going well and what is going well.  
21 That's innovation that was taken right out of  
22 the handbook. That's something that we've been  
23 doing. Teacher autonomy in my school--I was  
24 hired not by the principal, I was hired by  
25 other teachers. I gave a model lesson and from

1  
2 four other science teachers, and I've sat in on  
3 the model lessons of other science teachers.  
4 The autonomy that charter schools are given  
5 does in many, many instances directly cause  
6 innovation, innovation for the greater good of  
7 schools. We're all being painted with the same  
8 brush, and small independent charter schools  
9 are not the same as huge conglomeration charter  
10 schools, which I know nothing of, but that is  
11 not us. Council Member, thank you very much  
12 for your time.

13 CHAIRPERSON DROMM: Thank you. And  
14 next, please?

15 VASHTI ACOSTA: Thank you, Chair  
16 Dromm and Education Committee for having this  
17 important hearing today, and I appreciate the  
18 opportunity to testify. My name is Doctor  
19 Vashti Acosta. I'm the head of school and  
20 Principal of Amber Charter School in East  
21 Harlem, and today I want to highlight one of  
22 the most important aspects of Amber, our deep  
23 community engagement work. Amber was founded by  
24 a community-based organization, the Community  
25 Association of Progressive Dominicans. The

1 organization made it possible in the year 2000  
2 for Amber to open its doors and serve children  
3 and families. This organization continues to  
4 support the work Amber does in a variety of  
5 ways. In the past 14 years, the Executive  
6 Director has sat at Amber's Board of Trustees.  
7 It has sponsored after school programs,  
8 provided mental health services to children,  
9 family and staff, has provided health  
10 information, advocated for funding and been a  
11 steady and dependable partner in everything  
12 Amber does to serve its students and families.  
13 But Amber has also had a long standing  
14 relationship with the Department of Education's  
15 Children First Network Nine, which was led  
16 until last year by Doctor Deborah Lam [sp?] and  
17 Doctor Mack McDonald. CFN9 served over 22  
18 district schools and Amber Charter School. As  
19 the only charter school in the network, we  
20 benefitted from this partnership by availing  
21 ourselves of the professional development  
22 provided as well as the knowledge and  
23 experience of the leadership. Through this  
24 partnership, Amber was able to secure over six  
25

1 million dollars in federal funding to provide  
2 to the district schools in CFN9, and that  
3 funding gave them professional development in  
4 teaching American history and strengthening  
5 leadership. I believe the partnership Amber had  
6 with CFN9 has been incredibly enriching and  
7 beneficial for both Amber and the district  
8 schools, and we believe that this model can be  
9 easily replicated throughout the city. Another  
10 example of creating communities that are I  
11 founded and am currently the convener of the  
12 Latino Charter Leaders Round Table. This is a  
13 group of Latino Charter Leaders that support  
14 each other, work collaboratively, and seek to  
15 impact the charter movement so that it benefits  
16 all children. Community engaged charter schools  
17 make a commitment to the student and the family  
18 when they accept them into the school. The  
19 commitment is deep and lasting. It is a  
20 commitment we hold as a sacred bond, and this  
21 is why Amber Charter School joined the  
22 Coalition of Community Charter Schools, because  
23 our actions reflect the statement of principles  
24 held by the coalition. We are committed to  
25



1  
2 providing high quality education to students  
3 who reflect our communities and neighborhoods.  
4 We believe that parent and community engagement  
5 is essential to student success. We seek out  
6 opportunities to collaborate. We also believe  
7 that all students and families have the right  
8 of choice in education. Amber is a community  
9 charter school that is deeply committed to not  
10 just the families we serve, but the community  
11 in which we work, East Harlem. Thank you for  
12 this opportunity.

13 CHAIRPERSON DROMM: Well thank you  
14 very much. Thank you all for coming in and  
15 thank you also for your patience in terms of  
16 waiting to give testimony today. I really  
17 definitely appreciate that. And I appreciate  
18 and hear the message from the Coalition of  
19 Community Charter Schools as well. Stacy is, as  
20 the Renaissance is in my District. We do have a  
21 very good relationship and it may be shocking  
22 to some people in the audience today, but I  
23 recently wrote a letter of support for their  
24 preschool application for the UPK, because I do  
25 believe and I said when we started the hearing

1  
2 that the traditional or the original message,  
3 the original mission of charter schools is to  
4 provide innovation and creative ideas to lead  
5 the way on some of these things, and I do  
6 continue to believe that that is good. By the  
7 way, these were ideas put forward by the Albert  
8 Schenker [sp?], okay? And I have to tell you  
9 that I am a dedicated unionist. It's right in  
10 my bio if you go to my website you will see. So  
11 being a unionist and having been a UFT involved  
12 person, I do enjoy the fact that the  
13 Renaissance Charter School is unionized, both  
14 at the aid, the teacher and the Administration  
15 level. Let me just tell you al little bit why  
16 and it relates to some of my struggles and some  
17 of my concerns around charter schools as well.  
18 When I started teaching, we had no prep  
19 periods. When I started, teaching we had to  
20 spend lunch time with the students. When I  
21 started teaching, children and teachers had to  
22 monitor the hallways and the bathrooms. When I  
23 started teaching, we had no mid-winter recess.  
24 Okay? when I started teaching, fortunately we  
25 had tenure and when I came out as an openly gay

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

teacher and the Department of Education tried to remove me from my position for being an openly gay teacher, thank God the UFT was there, and thank God the people who laid down their lives for me so that I would have all of those privileges were there. The fact that many of the charter schools are not unionized is of major concern to me as well, and those are the reasons why I'm a dedicated unionist. So I want people to understand and to know that as well.

Yes?

VASHTI ACOSTA: Amber Charter School was unionized since its inception.

CHAIRPERSON DROMM: Very good. Okay. So we have two unionized--

RAFIQ KALAM ID-DIN: But my school is not, and I would just say that that's not the only way for us to ensure. I think ours is a teacher led school. I'm a teacher. I teach full time. I think it's important for us all to have per--

CHAIRPERSON DROMM: [interposing]  
Sir, there are many teachers who were summarily filed simply for being gay.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

RAFIQ KALAM ID-DIN: And I'm--

CHAIRPERSON DROMM: [interposing]

They came right in--

RAFIQ KALAM ID-DIN: There's no doubt about that, just like that there were teachers who were removed and replaced and marginalized because they were black or they were Latino.

CHAIRPERSON DROMM: Right. So the union struggle is a very important struggle. The labor struggle is a very important struggle. As a matter of fact, that struggle is taught in the Renaissance Charter School. The struggle of the civil rights struggles are taught in the Renaissance Charter School. I've witnessed that. The LGBT struggle is taught there as well. So I believe that they're all interconnected.

VASHTI ACOSTA: I also need to applaud the new contract that the UFT just signed where they were giving the opportunity for schools to have the slim [sic] which is the one that we have, and so I think that's again evidence of how the charter school has given

1  
2 new practices, best practices, new innovation  
3 that can be used in the district schools.

4 CHAIRPERSON DROMM: There was  
5 actually, and I will say that I agree. There  
6 was actually always in the UFT contract a  
7 provision for school-based options. And so this  
8 is an extension of an idea that the UFT put  
9 forth, but met resistance with the DOE many  
10 years ago on the school-based options, and met  
11 resistance from principals as well. And so it  
12 was the UFT that put forth many of these ideas  
13 in the school-based option component that's  
14 currently in the longer contract as well.

15 STACY GAUTHIER: And I just wanted  
16 to add because there was a question about  
17 teacher evaluation. While Renaissance is a  
18 conversion school, we are work--and we have the  
19 full UFT contract. We've been working for quite  
20 some time and we'll probably make some  
21 additional changes on modifying the teacher  
22 evaluation plan. I think we're going to have a  
23 plan that's a model plan. I'm not sure if that  
24 can be translated into the DOE in any way, but  
25 I think that we address many of the concerns

1  
2 that people have about that plan. So it  
3 certainly is doable in the charter level, and  
4 we also have a modified CSA contract that helps  
5 to support and fit what our community needs and  
6 wants.

7 CHAIRPERSON DROMM: So from what  
8 I've seen also, Stacy, in the Renaissance is  
9 something that the Chancellor has been  
10 highlighting a lot of lately which is the word  
11 collaboration, and I believe that, you know,  
12 when I went to school, the tri--they use to use  
13 the example of a triangle where the child was  
14 at the top and the teacher and the parents, the  
15 Administration were at the bottom, and that is  
16 exemplary. There's good examples of that in  
17 the Renaissance Charter School, and I'm glad to  
18 see that the Chancellor is using that model as  
19 well. So I agree with you on that. I want to  
20 ask you a couple of questions because I think  
21 it's important that we distinguish between what  
22 you're doing and what some other charter  
23 schools are doing. Are you as outraged as I am  
24 that children have to wear orange shirts?

1  
2 STACY GAUTHIER: Let me just say  
3 that it's certainly not a discipline plan that  
4 we would use at Renaissance.

5 YAACOV LEVY: It wouldn't fly.

6 STACY GAUTHIER: He said it wouldn't  
7 fly. It would not fly. It's not our culture.  
8 That's not how we believe students grow. We  
9 think it's our job to nurture our students and  
10 most certainly we have discipline issues and  
11 problems, but we come together as a community  
12 and our practices are more restorative than  
13 punitive.

14 CHAIRPERSON DROMM: So you use a  
15 restorative approach to discipline rather than  
16 sending children to their seat and walking  
17 around school silently wearing orange shirts,  
18 etcetera, so forth and so on.

19 STACY GAUTHIER: Now you know  
20 nobody's silent at Renaissance. You walk  
21 through the hallways--

22 CHAIRPERSON DROMM: [interposing] I  
23 know that very much so. And you know, as a  
24 teacher when I would go into classrooms, the  
25 classroom could be very noisy, kids could be

1  
2 moving all around, but if they were moving with  
3 purpose and they were doing something  
4 constructive in the classroom it was fine. It  
5 was good. Salaries, are your salaries the same  
6 as the DOE?

7 STACY GUATHIER: Yes. So the salary  
8 package that I have is a CSA salary schedule.  
9 So actually, you had to call my Director of  
10 Operations. I make 143,782 dollars, but I'm  
11 also entitled to a performance bonus, which is  
12 similar to the DOE, and that's based on the  
13 completion of charter goals. And so if we  
14 attain charter goals I can get a performance  
15 bonus up to 25,000 dollars. One thing I will  
16 add, though, that I think is a differentiating  
17 factor between some of my charter colleagues is  
18 I am in the TRS pension. So if you look at  
19 package, I think some of my colleagues who  
20 maybe make additional salaries to me are not  
21 part of the pension plan, which is a fairly  
22 generous package. So I think that adds roughly  
23 25 percent to your salary. That's something DOE  
24 teaches, but yes, I'm not making half a million  
25 dollars.



1  
2 CHAIRPERSON DROMM: And that takes me  
3 back to the union struggle to fight for those  
4 pensions as well, and that was a valid and  
5 important part of the struggle. So I  
6 acknowledge that. Amber Charter? I'm sorry.

7 VASHTI ACOSTA: My salary is not  
8 half a million, definitely. That's not  
9 happening. It's 162,000.

10 CHAIRPERSON DROMM: Okay. Did you  
11 want to say something, sir?

12 RAFIQ KALAM ID-DIN: Well, our  
13 compensation structure is not tied to the  
14 union's compensation structure. My base is 125.  
15 We're eligible for bonuses that could be up to  
16 80,000 dollars, up to 100,000 dollars based on  
17 our performance, not just of my students and my  
18 classroom but of the entire school. Each one  
19 of the teachers have a very similar kind of  
20 structure at the different levels where it's  
21 part base and it's also part bonus.

22 CHAIRPERSON DROMM: Now, do you all  
23 of your charter schools post policies,  
24 discipline policies, parent handbooks online?

25 STACY GAUTHIER: Yes, our is online.

1  
2           RAFIQ KALAM ID-DIN: Yes, absolutely.  
3 We're required to.

4           CHAIRPERSON DROMM: You're required  
5 to?

6           RAFIQ KALAM ID-DIN: We are.

7           CHAIRPERSON DROMM: By whom?

8           RAFIQ KALAM ID-DIN: Well, our  
9 authorizers.

10          VASHTI ACOSTA: Our authorizers.

11          CHAIRPERSON DROMM: And who's your  
12 authorizer?

13          RAFIQ KALAM ID-DIN: Mine's is DOE.

14          VASHTI ACOSTA: Mine is SUNY.

15          STACY GAUTHIER: And ours is the  
16 DOE.

17          CHAIRPERSON DROMM: Okay. And Stacy,  
18 I wanted to forward you the opportunity because  
19 you said you wanted to talk about over-the-  
20 counter students.

21          STACY GAUTHIER: I do. We have a  
22 policy that's been approved by the DOE and I  
23 think, you know, being a school that's been  
24 around for a while, sometimes these things  
25 don't always get highlighted. What we have is

1  
2 rather than a wait list, we have something  
3 called a waiting pool. Students whose  
4 applications come in before our lottery date  
5 are clearly put into the lottery, but after  
6 that there's not a numbered wait list, one  
7 through 100 or one, or in our case we have  
8 2,500 students on a wait list for 58 seats, and  
9 we don't do any kind of overly rigorous or  
10 expensive advertising other than let community  
11 groups know we're around and having open houses  
12 and getting recognition in places like inside  
13 schools for working well with special ed kids  
14 so people come to us. Because we do a waiting  
15 pool, and this is something that they actually  
16 do in Massachusetts, so I think it's a best  
17 practice we could look into. Students who come  
18 in after the fact, the so called over-the-  
19 counter students, are able to put their  
20 application in. It's not a guarantee they're  
21 going to get in, because especially in a  
22 school, I think that was said before, that  
23 doesn't have a lot of attrition. We don't have  
24 many of our students leaving, but we do have a  
25 somewhat mobile population. So sometime--we

1  
2 have a lot of families, so sometimes if the  
3 family moves to Texas we can lose three  
4 students in one time. Those students are able  
5 to have a shot when the next lottery is pulled  
6 for that seat, because they're in a pool.  
7 They're not number 999, and you know that  
8 you're never going to get to them. I think it's  
9 not a perfect situation, but it's certainly a  
10 situation that gives them access and I will  
11 also say that in terms of backfilling, we back  
12 fill in every grade. We backfill even up to  
13 senior year in high school, and we took a  
14 student who was an English language learner  
15 with only two Regents, I think, right, two  
16 Regents maybe in senior year. We consider it  
17 something that we have to do. It's our mission  
18 and it's our mission to support our kids and I  
19 think it also really tests how strong your  
20 program is to be able to do it, and I would  
21 encourage my charter colleagues to think about  
22 doing it. I don't know, Yaacov, if you want to  
23 comment.

24                   YAACOV LEVY: I've had a student, I  
25 guess backfilled into my class. It's halfway

1  
2 through the year, last year, maybe two years  
3 ago. He spoke very, very, very minimal English,  
4 but it's just something. It's just a matter of  
5 course. It was never something that we wouldn't  
6 do. And lastly, while I have the microphone,  
7 our school does have homeless students.

8 CHAIRPERSON DROMM: Okay. Did you  
9 want to say something also?

10 VASHTI ACOSTA: Nope.

11 CHAIRPERSON DROMM: Okay. So, right,  
12 less said the better, right? I'm only kidding.  
13 I want to thank you all for coming in. I want  
14 to particularly thank you for your transparency  
15 because that's really what I wanted to be the  
16 focus of this hearing. I'm disappointed that  
17 some of the media has left, and that that  
18 message may not get out, but you know, we need  
19 to continue to have these discussions, and I  
20 just want to say extra thank you for coming in  
21 and being so transparent. Thank you.

22 RAFIQ KALAM ID-DIN: Thank you for  
23 having us. Thank you.

24 STACY GAUTHIER: Thank you very  
25 much.

1  
2 YAACOV LEVY: Thank you very much.

3 CHAIRPERSON DROMM: Our next panel  
4 will be Elba Montalvo from the Committee for  
5 Hispanic Children, is she here? Okay, you'll  
6 take, okay. Leonie Haimson from Class Size  
7 Matters, Paulina Davis, Advocates for Children  
8 of New York, and Tayo Belle, New York Civil  
9 Liberties Union. Okay, would please raise your  
10 right hand? Do you swear or affirm to tell the  
11 truth, the whole truth and nothing but the  
12 truth and to respond honestly to Council Member  
13 questions?

14 ABE BARRANCA: I do.

15 CHAIRPERSON DROMM: Okay, thank you  
16 very much, and who'd like to start?

17 ABE BARRANCA: My name's Abe  
18 Barranca. I'm a Policy Analyst for the  
19 Committee for Hispanic Children and Families  
20 speaking on behalf of the committee and our  
21 President Elba Montalvo. I'd like to thank  
22 Chair Dromm and the Committee on Education for  
23 letting us speak here today. For the last 33  
24 years CHCF has served New York's Latino  
25 community combining direct service with policy

1 work to amplify the voice of Latino families.  
2 We've partnered with the New York City public  
3 schools for the last 24 years. Our programs  
4 include after school programs, drop out  
5 prevention, pregnancy prevention and  
6 responsible fatherhood. We have an early care  
7 and education institute that trains childcare  
8 providers and connects families to childcare  
9 services. In 2007, we created the Latino  
10 Coalition on Early Care and Education to  
11 enhance the availability and culturally and  
12 linguistically appropriate childcare in early  
13 education programs. CHCF supports the proposed  
14 law by the City Council to amend the  
15 Administrative Code to require the DOE to  
16 report academic and demographic information on  
17 all co-located charters. Charters have  
18 disturbing low admission and retention rates of  
19 English language learner students, a student  
20 group that we spend a lot of time and effort to  
21 speak on behalf of. In 2011/2012, ELL students  
22 were just 5.9 percent of all New York City  
23 charter students. It's based on charter school  
24 data. Compared to 14.4 percent of all DOE  
25

1 public schools students during that period, but  
2 we believe charters must be held accountable  
3 for inequities in enrollment, that they must  
4 offer more bilingual and dual language programs  
5 and their financial structures must be  
6 transparent and subject to public scrutiny. I  
7 was very happy to hear on the last panel that  
8 that group of charter schools has done a very  
9 good job, it sounds like, with making their  
10 dealings transparent and enrolling good numbers  
11 of special education and English language  
12 learner students. We're not opposed to  
13 charters, but we are concerned about a few  
14 issues that come up in the charter school  
15 debate. One, housing older and younger students  
16 in the same site to accommodate charter school  
17 co-locations creates a lot of logistical  
18 difficulties for school staff and for student  
19 interactions. Forcing public school  
20 administrators to use fewer resources and cut  
21 programs to make room for charter schools has  
22 previously been stated in the press and during  
23 this hearing today. And charter's apparent lack  
24 of outreach to parents of ELL students and  
25



1  
2 immigrant families to inform them about  
3 selection lotteries. There's--because there's  
4 so low percentages relative to the public  
5 schools of English language learner students in  
6 the charter schools, we suspect that immigrant  
7 communities are not getting the kind of  
8 information they need to sign up for the  
9 lotteries. We recommend that the city require  
10 charters to afford all student groups,  
11 particularly ELL students equal opportunity in  
12 the placement process through required  
13 information distribution programs in immigrant  
14 communities and that they be transparent in  
15 financial disclosures, placement decisions and  
16 student retention records and report these data  
17 to DOE. We recommend the city set standards for  
18 community outreach and education regarding the  
19 charter placement process or co-locations only  
20 in schools with sufficient space and evaluate  
21 programs for all students at charters. If  
22 students aren't performing well, the city  
23 should review and take steps as the DOE  
24 representatives earlier said to put them on  
25

1  
2 probation or foreclosure. Thank you for your  
3 time.

4 CHAIRPERSON DROMM: Thank you.  
5 Leonie?

6 LEONIE HAIMSON: Thank you.

7 CHAIRPERSON DROMM: Leonie, just turn  
8 it on.

9 LEONIE HAIMSON: Thank you, Chair  
10 Dromm and whoever else is left from the  
11 committee right now. My name is Leonie Haimson.  
12 I run an organization called Class Size  
13 Matters. I'm going to do something a little bit  
14 differently. I'm going to talk about six  
15 charter school myths that I think really need  
16 disputing because they are based on false  
17 information. One, that charter schools are  
18 public schools. If you look at state law, it's  
19 very clear that charter schools are exempt from  
20 all other state and local laws, rules,  
21 regulations or policies governing public  
22 school. So right off the bat it says they are  
23 not public schools. They are not subject to the  
24 same laws. They are not subject to democratic  
25 governance, and I give specific examples about

1  
2 why that matters. Then there's a myth that's  
3 often disseminated which that charters educate  
4 the same kids as public schools, and I think  
5 we've had a lot of testimony today about this,  
6 about how they don't enroll their fair share of  
7 high need students, whether that be special  
8 needs kids, English language learners or kids  
9 in poverty, including homeless children. And if  
10 you look in fact at the spreadsheets that DOE  
11 puts together for their progress report.

12 There's something called the economic need  
13 index that puts together the poverty level with  
14 the number of homeless kids and kids on public  
15 assistance and it shows for example that the  
16 Success Academy has about half the economic  
17 need of PS 149 where it's being located. And  
18 this replicates across New York City and across  
19 the country in fact. Then there's another myth  
20 that's often spread by the charter school  
21 lobby, which is that they are underfunded  
22 compared to public schools. Not only did the  
23 IBO find that they get more public funding,  
24 those in co-located charters significantly, but  
25 the IBO analysis did not point out that charter

1 school students are twice as likely to get free  
2 bussing from the city. It's 20 percent compared  
3 to nine percent for public schools students,  
4 but they also didn't point out that the charter  
5 school tuition is not tied to fair student  
6 funding, and the fact that they have fewer high  
7 need students means they're even more over  
8 funded compared to public schools. And when  
9 researchers found that New York City charters  
10 should receive approximately 2,500 dollars less  
11 in pupil aid, because of the fact that they're  
12 not tied at fair student funding than they  
13 currently do. So they're overfunded by that  
14 amount, and of course it's all the disparities  
15 are going to be much, much worse in the future  
16 because of the rise in the tuition but also the  
17 provision of free space to all new and  
18 expanding charters, which is going to be a huge  
19 subsidy, and as the Daily News said, it's going  
20 to create a gold rush in New York City. There's  
21 no other place in the country that offers such  
22 generous privileges and preferences to charter  
23 school while thousands of our kids continue to  
24 sit in trailers and over-crowded classroom,  
25

1 etcetera. Then charter schools get higher test  
2 scores because of the superior quality of their  
3 education. That's also a myth. There's a lot of  
4 dispute as to whether they actually do better,  
5 but we don't really know whether it's because  
6 of the increased funding, the socioeconomic and  
7 demographic background of their students, or  
8 their much higher suspension and attrition  
9 rates, and I have some data that goes into  
10 that. And I want to make the point that even  
11 the SUNY charter institute pointed out that the  
12 Success Academies had practices in terms of  
13 suspension and expulsion that were not in their  
14 charters and that were basically illegal, and  
15 they did that in their reauthorization report,  
16 and I have the quote here, and yet they still  
17 reauthorized three of them and allowed them to  
18 expand. And that is--goes against what happened  
19 in the 2010 charter revision law where it  
20 specifically says that no charter should be  
21 reauthorized or allowed to expand if it doesn't  
22 enroll and retain equal comparable numbers of  
23 high needs students. And that has never been  
24 done, and I in fact ask that someone from the  
25

1 Charter Office at SED a few weeks ago, have you  
2 ever denied reauthorization or expansion to any  
3 charter school for not meeting its retention  
4 and enrollment targets that were, you know, in  
5 the law since 2010, and they said it has never  
6 happened. SED nor SUNY has never refused to  
7 reauthorize even though we know these attrition  
8 numbers are very high, and even we know they do  
9 not enroll comparable numbers of high needs  
10 students. And then I go into the waiting list,  
11 which I think is a very important point because  
12 they use it all the time to show that they're,  
13 you know, to argue that there's higher parental  
14 demand. Well first of all, no one--there's no  
15 oversight over those waiting lists. We should  
16 have a lot of skepticism about them and many  
17 kids may be on two or three different waiting  
18 lists, but beyond that, DOE is very, very quiet  
19 and hides its own waiting list whether it be  
20 unzoned kids for schools or unzoned schools or  
21 even for high school. And we did an an--and for  
22 some reason the charter schools go around  
23 trumpeting how big their waiting lists are, but  
24 the DOE refused to reveal them either to Class  
25

1  
2 Size Matters or to CECs, and when we last did  
3 an analysis in 2010 we found that the  
4 acceptance rates at schools that DOE were said  
5 to fail were failing and were closing were much  
6 lower than the acceptance rates that Success  
7 Academy brags about. So Success Academy brags  
8 that they have a 20 percent acceptance rate. We  
9 found that, for example, Monroe Academy in the  
10 Bronx had an eight percent acceptance rate,  
11 similar to that of Harvard. And Academy of  
12 Environmental Sciences has a nine percent  
13 acceptance rate, similar to Yale. So if you  
14 really looked at the numbers across the system,  
15 if you had transparent figures about waiting  
16 lists at all the schools across the city  
17 including the supposed failing schools that DOE  
18 is trying to close, you would see that they're  
19 accepting rates are much lower. And for our  
20 really high performing schools like Millennium  
21 or Barruke [sp?], they have acceptance rates of  
22 1.6 to three percent, and yet none of those  
23 schools are being allowed to expand or given  
24 new space, whereas charters are going to be  
25 giving a free ride going forward. The final

1  
2 myth that I want to go into is that the new law  
3 provides charter protections in the law and  
4 simply equalizes their treatment with public  
5 schools. We know, of course, that that's not  
6 true. There are schools in New York City, over-  
7 crowded communities that have been waiting 20  
8 years for a new school to be built. Thousands  
9 of kids, as I said, hundreds of thousands of  
10 kids are sitting in over-crowded classrooms.  
11 Thousands of kids, more than 7,000 which is  
12 what the DOE claims, but it's probably more  
13 like 10,000 or 12,000 kids are sitting in  
14 trailers, and we have thousands of kids in  
15 waiting lists for kindergarten and yet none of  
16 those schools are being allowed to expand. None  
17 of those kids are being given free space, and  
18 yet, any charter is going to be given free  
19 space going forward, new or expanding charters.  
20 And I think we really need a fiscal impact from  
21 the DOE and from the State on this. It's going  
22 to likely cause us hundreds of millions of  
23 dollars going forward. It is absolutely  
24 insupportable. It is only applying to New York  
25 City where we have the most over-crowded



1  
2 schools in the state and the most over-crowded  
3 real estate and it's really completely unfair.  
4 So thank you very much.

5 CHAIRPERSON DROMM: Thank you. Next  
6 please?

7 PAULINA DAVIS: Hello. My name is  
8 Paulina Davis and I'm representing Advocates  
9 for Children of New York. I want to start by  
10 thanking you for the opportunity to discuss  
11 charter school management and accountability  
12 before the committee. At Advocates for  
13 Children, I focus on issues concerning access  
14 to inequity in New York City charter schools.  
15 For over four [sic] years, AFC has been working  
16 to protect every child's right to learn by  
17 promoting access to the best education New York  
18 can provide, especially for students of color  
19 and students from low income backgrounds. We  
20 see charter school accountability through the  
21 lens of the individual families who call our  
22 helpline seeking assistance with problems at  
23 charter schools. During this school year, we  
24 have received over 100 calls from charter  
25 school families whose children were facing

1 suspension or expulsion or not receiving much  
2 needed special education supports, and who are  
3 unable to resolve the problems on their own.  
4 There's no question that the DOE needs to do  
5 substantial work to reduce over-reliance on  
6 suspensions in traditional public schools, but  
7 at least in those schools there are uniform  
8 procedures governing suspensions. The DOE's  
9 Chancellor's regulations describe in detail the  
10 due process protections and suspension  
11 procedures for traditional public schools, but  
12 as the DOE even attested to today, in contrast,  
13 each charter school has its own discipline code  
14 which governs the school system for suspending  
15 or expelling students. Sometimes, parents call  
16 us because their children are facing suspension  
17 or expulsion and they do not even know where to  
18 find a copy of the charter school's discipline  
19 code. The three charter school authorizers  
20 including the DOE are responsible for ensuring  
21 that their respective charter schools have  
22 discipline policies that meet the requirements  
23 of the law and we have asked them to uphold  
24 this responsibility. However, recently we  
25

1  
2 analyzes over 100 New York City charter school  
3 discipline policies and were alarmed by the  
4 number of schools failing to provide basic due  
5 process protections. For example, when a  
6 student is recommended for a suspension of more  
7 than five days at a traditional public school,  
8 an independent DOE office automatically sends  
9 the parent a written notice with information  
10 about the parent's rights, and an off-site  
11 hearing at which the school must prove the  
12 charges against the student before a neutral  
13 hearing officer. By contrast, more than one  
14 quarter of the charter school policies we  
15 reviewed do not require the charter school to  
16 provide parent with written notice of the  
17 suspension, and more than one quarter failed to  
18 mention the right to a hearing for long term  
19 suspensions or expulsions. Also, some charter  
20 school discipline policies require the decision  
21 maker at the hearing to be the principal or  
22 another school staff member already familiar  
23 with the incident instead of a neutral finder  
24 of fact. Moreover, nearly half of the charter  
25 school policies we reviewed unlawfully

1 authorize suspensions or expulsions for being  
2 absent or late to school. And one quarter of  
3 these policies failed to include protections  
4 required by federal law when suspending  
5 students with disabilities for more than 10  
6 days. The DOE offers full time alternative  
7 instruction to students suspended from  
8 traditional public schools to keep students on  
9 track academically during suspension.  
10  
11 Comparatively, more than one-third of the  
12 policies we reviewed failed to discuss the  
13 student's right to alternative instruction when  
14 suspended from school. Most of the policies do  
15 not require a charter school to provide more  
16 than two hours of instruction per day to  
17 students serving suspensions and we have seen  
18 students miss weeks or even months of full time  
19 instruction as a result. We ask the Council to  
20 work with the DOE to review all of the  
21 discipline policies of the charter schools it  
22 authorizes and to direct schools to revise them  
23 so that they comport with the law and protect  
24 student's rights. Discipline is just one area  
25 in which charter school accountability and

1  
2 oversight needs to be improved since 2010, as  
3 already been mentioned here. State law has  
4 required charter schools to recruit, enroll,  
5 and retain students who receive free and  
6 reduced price lunch, students with disabilities  
7 and English language learners and numbers that  
8 are comparable to the traditional public  
9 schools within their districts. We have yet to  
10 see authorizers hold those schools accountable  
11 that repeatedly fail to meet recruitment,  
12 enrollment and retention targets and that  
13 failed to make good efforts to do so.  
14 Therefore, AFC supports the Council's bill  
15 calling for reports to the DOE on student  
16 demographic data for all co-located schools. We  
17 ask that the data reported to the DOE for all  
18 co-located schools include the total number of  
19 suspensions and expulsions each year  
20 disaggregated by length of suspension, race,  
21 gender, disability and English language  
22 learners status as well as the total enrollment  
23 and attrition rates each year for students with  
24 disabilities and English language learners  
25 attending the school. In addition, we

1  
2 specifically ask for the following for co-  
3 located charter schools, the total numbers of  
4 hearings convened for long term suspensions and  
5 expulsions each year and the total number of  
6 grievances filed against the charter school  
7 relating to discipline and special education or  
8 language support services each year. Thank you  
9 for the opportunity and I'd be happy to answer  
10 any questions that you may have.

11 CHAIRPERSON DROMM: Wow, well thank  
12 you. An awful lot of information to digest and  
13 you spoke rather fast.

14 PAULINA DAVIS: Sorry.

15 CHAIRPERSON DROMM: No, that's okay,  
16 by my goodness the information that you  
17 included in your report was very beneficial. I  
18 want to look at the recommendations that you  
19 have suggested in terms of the legislation that  
20 we're talking about and I think that they would  
21 be very valuable to us getting and  
22 understanding exactly what's going on in  
23 charter schools as it relates to discipline  
24 policies and how those discipline policies  
25 relate to, as Leonie said and as the young man

1  
2 from Coalition for Hispanic Families said as  
3 well, to our English language learners. You  
4 know, I remember walking into a classroom one  
5 time and there was a young boy who was like  
6 second or third day in school, didn't speak a  
7 word of English. He was from Columbia, and he  
8 was under the other teacher's desk screaming  
9 and yelling, "Ahh" and carrying on and the  
10 other teacher didn't even really know what to  
11 do. Fortunately when I walked in I could speak  
12 a little bit of Spanish, and I got him out,  
13 brought him out from under the desk. Had  
14 somebody who didn't understand that type of  
15 behavior walked in and saw that, it probably  
16 would have been almost a suspendable offense,  
17 or according to some of the policies that we  
18 heard about in some of these charter schools as  
19 well would have also have been suspendable  
20 offense for talking back to the teacher, for  
21 not following orders, for being insubordinate,  
22 which has been in some of the discipline codes  
23 that I've seen as well, except there's--and  
24 really it boils down to is often times their  
25 ability to be able to understand what it is

1  
2 that they're being told to do. So I want to  
3 look at those policies. Did you state, Paulina,  
4 that--Paulina, excuse me. I'm sorry. I have to  
5 make sure that I say it right. I was a teacher.  
6 That the discipline policies--that the  
7 suspensions are given to those for excessive  
8 absences and lateness in some charter schools?

9           PAULINA DAVIS: We have found  
10 policies and also we have represented a family  
11 on a case where in the--one of the infractions  
12 that the student was being recommended for  
13 expulsion was related to absences. And--

14           CHAIRPERSON DROMM: [interposing] And  
15 by the way, expulsion, is that an option that  
16 the public school system has?

17           PAULINA DAVIS: No. So, expulsion  
18 is--

19           CHAIRPERSON DROMM: [interposing] So  
20 we can't expel people permanently from the  
21 public schools?

22           PAULINA DAVIS: For students who are  
23 not 17, and if a student is a student with a  
24 disability it's not permissible for the  
25 students to be expelled.



1  
2 CHAIRPERSON DROMM: So we have to  
3 keep them no matter what. Wow. Charter schools  
4 can just get rid of them. That's probably why  
5 when I was teaching every October, the end of  
6 October, beginning of November I'd look around  
7 the classroom, I'd come in one day and there  
8 was sitting somebody new and they were either  
9 from a charter school or from a Catholic  
10 school, and I said, "Oh, boy, where did you  
11 come from?" And inevitably it was one of those  
12 two situations. But in school suspensions, do  
13 they occur in the charter schools?

14 PAULINA DAVIS: Some charter schools  
15 have policies that allow for in-school  
16 suspension. Some don't. So again, charter  
17 schools have the autonomy to create their  
18 discipline policies and that dictates.

19 CHAIRPERSON DROMM: And so the level  
20 of instruction in the schools where they do in-  
21 school or even outside of school, do they have  
22 any--is any work given to the students if there  
23 are outside of school suspensions?

24 PAULINA DAVIS: So again, the law  
25 does require charter schools to provide

1  
2 alternate instruction to suspend its students.  
3 In New York City, traditional public school  
4 students have access to a full-time, full day  
5 of instruction even when they're serving  
6 suspension. What we've seen in some of the  
7 policies that we reviewed is that a number of  
8 policies either don't address alternative  
9 instruction at all or they only provide for two  
10 hours of alternate instruction for those  
11 students who are suspended and we've seen that  
12 in cases as well.

13 LEONIE HAIMSON: Can I make a  
14 comment?

15 CHAIRPERSON DROMM: yes.

16 LEONIE HAIMSON: I've heard from  
17 many former charter school parents that their  
18 kids as a disciplinary matter are sent to rooms  
19 where they have to sit for hours and they're  
20 not allowed to pick up a book or do anything,  
21 but they have to sit in silence for hours, and  
22 that is extremely abusive in my mind. The other  
23 thing about expulsions I wanted to say, this  
24 report that SUNY did implied that Success  
25 Academy had excessive expulsions or ones that

1  
2 did not accord with their charter, and yet,  
3 nowhere can you find the data on expulsions. It  
4 is nowhere reported by the state or by anyone  
5 else. So I think it's really important that if  
6 we have a new bill, that we require the  
7 expulsion data from charters for the very first  
8 time to be reported to the public.

9           PAULINA DAVIS: I just want to make  
10 one more quick point with regard to long term  
11 suspension, short term suspension or expulsion.  
12 Our point is that charter school students are  
13 still entitled to due process, and so just to  
14 be clear, our point is that no student should  
15 be removed from school unless those due process  
16 protections have been followed and it's clear  
17 that pursuant to the law, that's something  
18 that's allowable under the circumstances.

19           CHAIRPERSON DROMM: I mean, I know  
20 you're just learning of the pride dollar  
21 situation at the Coney Island Charter School,  
22 and by the way Beth Furtig [sp?] from WNYC has  
23 tweeted out that--let me see if I got it here--  
24 that the Executive Director of the Coney Island  
25 Prep says that he's proud of the school's

1  
2 culture and it gets high marks from families,  
3 and he's inviting me to come see him. So I  
4 guess he's proud of his orange shirts. But  
5 would Advocates for Families have a position on  
6 orange shirt wearing and due process?

7 PAULINA DAVIS: I think--

8 CHAIRPERSON DROMM: [interposing]  
9 Advocates for Children?

10 PAULINA DAVIS: The research shows  
11 that progressive approaches to discipline are  
12 approaches that are effective and positive  
13 approaches that address behavior. Those are the  
14 things that are effective. What we know is that  
15 when children are removed from the classroom or  
16 when they're removed from school they're at the  
17 education outcomes for those kids are dismal.  
18 And so I don't think that, you know, any  
19 discipline policy that doesn't take a  
20 progressive approach to discipline and that  
21 alienates students or isolates them is going to  
22 be an effective way to either address behavior  
23 and also could be very damaging to the student  
24 and effect their attitude towards school and  
25 learning, and that's something that we don't

1  
2 want to see happen for any kid regardless of  
3 what school they attend.

4 CHAIRPERSON DROMM: It ostracizes  
5 them, too. Leonie, can I just ask you a little  
6 bit? Maybe you're familiar with the situation  
7 at Mickey Mantle School?

8 LEONIE HAIMSON: Right.

9 CHAIRPERSON DROMM: And at PS 49?

10 LEONIE HAIMSON: Right.

11 CHAIRPERSON DROMM: Can you just give  
12 me a little description about what happened  
13 there in terms of the pushing into that  
14 building?

15 LEONIE HAIMSON: Well, I think, you  
16 know, Noah's [sic] going to be speaking soon  
17 and he's more of an expert on that, but  
18 progressively they've lost more and more of  
19 their rooms, both PS 149 and the Mickey Mantle  
20 School. They have lost art rooms, music rooms,  
21 science rooms. Their class sizes have gotten  
22 larger. They're--I think that, you know, I've  
23 seen photographs of them in such crowded  
24 conditions that I'm sure that it violates the  
25 building code, and what's really terrible is

1  
2 when more and more kids are going to be forced  
3 to leave. I mean, it's not going to happen now  
4 because they've actually leased a whole  
5 separate parochial school for Success Academy,  
6 which by the way, the DOE has not yet admitted  
7 how much they're paying for the three leases or  
8 the renovations, and that's something that I  
9 think should be transparent. We need to know  
10 those costs, but it's a story that recurs  
11 throughout the city that as charters move in  
12 and they expand, the kids in those public  
13 schools get squeezed and class sizes go up, and  
14 they lose the rooms they need for their special  
15 services for art, music and science, none of  
16 which is properly incorporated in the Blue Book  
17 formula. So, you know, I think that this is  
18 something. I agree with Council Member Williams  
19 that when the new Administration came in, they  
20 should have put a moratorium on all the co-  
21 locations, including the ones that had been  
22 previously voted on, and simply said we are  
23 waiting until our Blue Book task force is done  
24 and gives us more realistic and accurate  
25 numbers on utilization and then we will see

1  
2 whether we will go forward with any of them or  
3 not. And then I'm sure the Charter School lobby  
4 would have shouted, you know, bloody hell, but  
5 at least it would have been seen as based on  
6 principal and equitable across the board. As it  
7 was, they allowed most of the co-locations to  
8 go through and most of those actually pushed  
9 the building above 100 percent according to the  
10 outdated Blue Book formula. So it really made  
11 no sense, and I'm very discouraged with this  
12 administration. I'm very discouraged with their  
13 testimony today because it seems like they're  
14 still rationalizing the same old bad practices  
15 that went before, and I thought we were going  
16 to get a new fresh look at all of this, and so  
17 far it really doesn't seem to have happened.

18 CHAIRPERSON DROMM: Do you have a  
19 figure on class size in charter schools?

20 LEONIE HAIMSON: Bruce Baker, who I  
21 know is invited to testify today has  
22 comparative figures on class size they show on  
23 average. Charter schools in New York City do  
24 offer significantly smaller classes on average

25

1  
2 and another thing that almost all charters do  
3 is that they have two teachers per classroom.

4 CHAIRPERSON DROMM: Two?

5 LEONIE HAIMSON: Two teachers per  
6 class.

7 CHAIRPERSON DROMM: Very  
8 interesting. Okay. Thank you, and I want to  
9 thank the panel for coming up. I'm going to ask  
10 for our next panel to come up. It's Noah  
11 Gotbaum from Member of CEC3, Richard White from  
12 Parents from PS149 the Sojourner Truth School,  
13 Valerie Williams from District 75 CEC, Karen  
14 Sprowal from PS 75, Victoria Williams from the  
15 Mid-Manhattan Adult Learning Center, and Tayo  
16 Belle from New York Civil Liberties Union. So  
17 Sergeant, if we could get a couple of more  
18 chairs, I would appreciate it. Yeah, he'll give  
19 it to us. We also have testimony here from  
20 Esther Chamoro [sp?] whose daughter attends the  
21 Mickey Mantle School, for the record. So where  
22 should we start.

23 NOAH GOTBAUM: I think Mr. White has  
24 to go back.



1  
2 CHAIRPERSON DROMM: Okay, so whoever  
3 has to go back, please. I do want to apologize  
4 to our parents, I need to take time in some of  
5 these hearings to extract as information as I  
6 can out of the DOE, and that's why we put them  
7 first because that's who has to be accountable  
8 to me. So I do apologize and thank you for  
9 waiting so patiently.

10 RICHARD WHITE: Thank you and good  
11 morning.

12 CHAIRPERSON DROMM: Oh, I have to  
13 swear you in. Would you please raise your  
14 right hand? And, do you swear or affirm to  
15 tell the truth, the whole truth and nothing but  
16 the truth in your testimony before this  
17 committee and to respond honestly to Council  
18 Member questions?

19 UNKNOWN: I do.

20 UNKNOWN: I do.

21 CHAIRPERSON DROMM: Thank you. And  
22 would you begin by identifying yourself?

23 RICHARD WHITE: Good morning, again.  
24 My name is Richard M. White, father of Mia  
25 Faith Jennings White, a sixth grade 11-year-old

1 student in Ms. Simms [sp?] class at the  
2 Sojourner Truth PSMS 149 school. While my  
3 testimony is comprised of several different  
4 adverse effects that the co-location and  
5 expansion of charter schools inside public  
6 school buildings, today I talk about some of  
7 the primary losses my child and many other  
8 students completely lost as a direct result of  
9 charter co-locations. Dance, my child used to  
10 be enrolled in dance classes, but the classes  
11 no longer exist for any students. Music, my  
12 child was enrolled in music classes, but the  
13 class no longer exists for any students.  
14 Cooking, my child was enrolled in cooking, but  
15 it too no longer exists. Horticulture, chess,  
16 checkers and many other arts and sciences have  
17 been lost. My child, as is true for too many of  
18 our children goes to school for Common Core  
19 only. Common Core has its place in today's  
20 public school. However, arts education has long  
21 been recognized by experts around the world as  
22 having a tremendously positive influence on  
23 children and their academic attainment,  
24 social/emotional development and future  
25

1  
2 employment. The skills learned from arts  
3 education are more relevant today than ever. As  
4 New York City's economy is increasingly focused  
5 on industries that value creativity, innovation  
6 and problem solving. Despite these widely  
7 acknowledged benefits as well as clearly  
8 established mandates in New York State  
9 Education Law requiring that students in grades  
10 seven through 12 receive core arts instruction  
11 taught by certified teachers. The provision of  
12 arts education in New York City public schools  
13 has become both inequitable and underfunded.  
14 Instruction in visual arts, music, dance and  
15 theater has been weakened and are discontinued  
16 in too many of our traditional public schools  
17 by a decade or more of disinvestment,  
18 disincentives, and I am testifying today on  
19 behalf of my child, all children and parents  
20 who share in the hopes that these germane tools  
21 be restored to our traditional public schools  
22 and fully recognize the undisputed value of  
23 comprehensive arts education. Thank you.

24 CHAIRPERSON DROMM: Thank you very  
25 much. Next please? Just before you leave, if

1  
2 you're going to run because I understand. I'm  
3 very moved by your testimony. I was looking  
4 through the pages here because we have other  
5 testimony from somebody else at PS 149. How  
6 many schools are co-located into that building?

7 RICHARD WHITE: Four.

8 CHAIRPERSON DROMM: Four schools co-  
9 located in that building. And then the other  
10 parent who's here--

11 RICHARD WHITE: [interposing]  
12 Correction, three.

13 CHAIRPERSON DROMM: Three co-  
14 locations.

15 NOAH GOTBAUM: Three currently.

16 CHAIRPERSON DROMM: Okay. I just  
17 wanted to be sure that it's the same school  
18 that I got this testimony on here, and I will  
19 have comments to make after the panel speaks,  
20 but I know you have to run to get your child.  
21 Thank you very much for being here with us and  
22 for being so patient.

23 TAYO BELLE: Hello, my name is Tayo  
24 Belle, and I'm an attorney and legal fellow at  
25 the New York Civil Liberties Union. We would

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

like to thank you for the opportunity to testify today on charter school management and accountability, and I understand my name was called a few minutes ago. I'm sorry I stepped out for a moment. The NYCLU's mission is to defend and promote the fundamental--

CHAIRPERSON DROMM: [interposing] Can you just speak into the mic a little more? It's a little hard to hear.

TAYO BELLE: Sure, I'm sorry. The NYCLU, the New York State affiliate of the American Civil Liberties Union, I'm here representing our organization. Our mission is to defend and promote the fundamental principles, rights and values in the Bill of Rights and the Constitution of the State of New York. Through our youth and student's rights program, the NYCLU advocates for positive discipline systems that reduce classroom removals, suspensions, expulsions and school based arrests. With over 70,000 students, New York City's charter schools are no longer an alternative laboratory, but a serious educational provider. In fact, taken alone,

1  
2 they represent the second largest school  
3 district in New York State. As such, it is more  
4 important than ever to ensure that children  
5 attending charters receive all the rights,  
6 protections, and benefits guaranteed to them  
7 under the New York State Constitution and New  
8 York Education laws. As charter school  
9 enrollment has continued to grow, so has the  
10 number of student suspensions, classroom  
11 removals, in school suspensions and expulsions  
12 from charter schools. Of particular concern to  
13 our work are the exclusions of students of  
14 color and those with disabilities. Yet, the  
15 students attending charter schools who are  
16 facing exclusion are denied basic due process  
17 protections provided under state law because  
18 many of the schools claim they are exempt from  
19 the requirements of those laws. Though it is  
20 true the charters are granted flexibility for  
21 many state requirements, it is clear from the  
22 letter of the law that they are not immune from  
23 laws that implicate health assessments and most  
24 importantly civil rights. We submit to you  
25 today the laws governing due process procedures

1  
2 for student discipline fall under the category  
3 of civil rights laws which charters must follow  
4 in addition to those laws which protect against  
5 discrimination. In light of these concerns, we  
6 have two specific recommendations for the  
7 council today. One, first, the council should  
8 use its oversight authority to ensure charter  
9 school comply with the minimum due process  
10 protections in disciplinary matters afforded to  
11 every other public school student in New York  
12 State, and two, the council should amend the  
13 Student Safety Act to require charter schools  
14 to report data on student discipline in the  
15 same manner that the DOE schools are required  
16 to report, and this also includes amending the  
17 act further to include data on classroom  
18 removals, in-school suspensions and expulsions.  
19 I'm going to focus on recommendation number one  
20 today because of my short time, the issue of  
21 ensuring charter school compliance with minimum  
22 due process protections under New York State  
23 law. The remainder of our recommendations can  
24 be found in my written testimony. The NYCLU  
25 believes that the denial of due process

1  
2 protections to charter school students is a  
3 violation of the state law governing student  
4 discipline for public school students, New York  
5 Education Law 3214. If you just permit me one  
6 minute I will wrap up. The statute which  
7 applies to all public schools states that  
8 students facing suspension are entitled to  
9 certain rights including notice of the  
10 suspension, informal conference with the  
11 principal or an impartial hearing and  
12 alternative instruction while suspended.  
13 Charter schools and their attorneys as we've  
14 experienced with working with them on behalf of  
15 students we represent claim that they're exempt  
16 from these requirements, which apply, like I  
17 said, to all public school students in the  
18 state of New York because of a ambiguity in the  
19 drafting. We disagree with their analysis. It  
20 would be inconsistent with the express  
21 legislative intent of the Charter Schools Act  
22 to allow charters to avoid following civil  
23 rights law written to protect the due process  
24 interest of public school students especially  
25 when doing so would deny students the most



1  
2 basic of due process rights such as notice of  
3 their suspension, long supported by US Supreme  
4 Court President [sic]. By way of comparison,  
5 students attending DOE schools are entitled to  
6 a strict list of due process procedures found  
7 in Chancellor's regulation A443, a regulation  
8 that is nearly 70 pages long when they are  
9 facing an exclusion. Due process is in some  
10 ways, the foundation of all constitutional  
11 guarantees. It is the promise that your rights  
12 cannot be limited or removed without adherence  
13 to protect the procedures. Accountability in  
14 any public education system is meaningless if  
15 even the most basic of our core principles as a  
16 society such as due process for all cannot be  
17 achieved. As such, we strongly urge the council  
18 to take a leadership role in working in close  
19 collaboration with charter schools and the  
20 authorizers such as the DOE to rectify this  
21 issue for students facing exclusion. Thank you.

22 CHAIRPERSON DROMM: Thank you. Noah?

23 NOAH GOTBAUM: Vallerie's got to  
24 pick up her daughter, so I'm going to--

CHAIRPERSON DROMM: [interposing]

Okay, absolutely.

VALERIE WILLIAMS: Thank you so much. My name is Valerie Williams. I am a member of District 75 CEC and a mother of a special needs child that's 12 years old. If my daughter were--if I were to ask her to be attended to a charter school, she could not just because she has special needs. She would not receive an application because we live on the lower east side of Manhattan, where they don't advertise because of the income majority that is there. With that being said, we're going to face the facts of the Department of Education. We have a report that just came out recently saying that the Department of Education is the most racist school system in the country. We're beating out Alabama and Mississippi, okay? Secondly, we're also going to go into the financial background of charter schools, the National Federation of Charter Schools, the fact that Walmart, the Walton Foundation is backing charter schools. Also, the fact that the Governor, our Governor Cuomo

1  
2 is financially backing charter schools. Where  
3 is the DOE at in all of this? What is the DOE  
4 saying in order for not only children with  
5 special needs but also every other child that  
6 has a IEP maybe because of a disability and  
7 their speech, which gives them a IEP, by the  
8 way. We'll also turn around and say you will  
9 not attend that beautiful charter school that  
10 is getting so much renovation in every co-  
11 located building that it is disgusting. It took  
12 my daughter's school, which by the way is 94M,  
13 five years to get a elevator, five years. Girls  
14 Prep came in and within three months they had  
15 an entirely renovated floor, new furniture and  
16 everything. Now let's go back to Eva Moskowitz.  
17 We're really trying to have equality. We want  
18 success. We also want to make sure that all of  
19 our children have a fair education. That is  
20 not being displayed. The DOE is not holding  
21 their foot on the charter school's necks. They  
22 are not allowing them in any way, shape, form  
23 or fashion to come up and do the same thing,  
24 and I'm going to focus on Eva, that Eva  
25 Moskowitz is doing. Because of what? Finances.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

If I have 500 dollars for the next five years per child to go ahead and make improvements in their resources, don't you think we would have beautiful schools as well in the public education system? Wouldn't we also be able to afford resources for children with special needs? Would they not also be able to have speech therapy, OT, PT and other advantages that they should have just because their children. I'm going to end right there because I do have to go. Thank you for the opportunity.

CHAIRPERSON DROMM: Thank you very much. You have to go also?

VALERIE WILLIAMS: I'm so sorry.

CHAIRPERSON DROMM: I thank you for the points that you made. Obviously, I agree with many if not most of what you had said. I've seen some of the conditions that you've described myself with my own eyes. I feel that it is a matter of equity and justice and I definitely appreciate you coming in and waiting so long to testify. Thank you very, very much.

VALERIE WILLIAMS: Thank you.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CHAIRPERSON DROMM: One other thing. Thank you because it was not pointed out in this hearing about the backers of some of these corporatized charter schools. And when you talk about Walmart and we had hearings here in the City Council, the last session, about Walmart coming into the city, I got news for you, they're already here. They're already here in this city.

VALERIE WILLIAMS: Wow.

CHAIRPERSON DROMM: They're already here in this city. And Gates, and the whole situation with the Governor and what the Governor did in the last budget, I definitely appreciate your remarks in that regard as well. Thank you. Sure, just speak into the mic so we can get it on the record.

VALERIE WILLIAMS: May I just say, 800,000 dollars was donated by the National Federation of Charter Schools, in particularly-

NOAH GOTBAUM: [interposing] Charter school supporters.

1  
2 VALERIE WILLIAMS: Eva Moskowitz,  
3 and the Walmart Company also donated 168  
4 million dollars. We need to understand where  
5 the backing is coming from and what we're up  
6 against when in reference to public school  
7 versus the privatization of public schools and  
8 the unfairness that's getting ready to happen.  
9 Also, look at the values of the Walmart family,  
10 the way that they treat their employees in  
11 particular, and do not forget and do not  
12 think that that's not going to trickle down  
13 into the educational process. Thank you again  
14 for your opportunity.

15 CHAIRPERSON DROMM: And I don't think  
16 that they're coming into New York City for any  
17 altruistic reason. I mean, they're making  
18 business decisions about why they're coming in,  
19 and part of being a hedge fund manager, who are  
20 the other investors as well in some of these  
21 charter schools is making sure that the system  
22 fails so that when it does fail what they have  
23 can go up and can be, you know, take--make  
24 profit off of what has failed. So thank you  
25 very much for being here. Next, please?

1  
2 NOAH GOTBAUM: Thank you very much,  
3 Mr. Chairman. Noah Gotbaum--

4 CHAIRPERSON DROMM: [interposing] Is  
5 the d--is the DOE here? Is there a  
6 representative from the DOE?

7 NOAH GOTBAUM: They're probably not  
8 going to want to hear what I have to say.

9 CHAIRPERSON DROMM: Just one last  
10 time, is there a representative here from the  
11 DOE? So the DOE has left? Are you here?

12 [off mic]

13 CHAIRPERSON DROMM: You're here to  
14 represent the Chancellor?

15 [off mic]

16 CHAIRPERSON DROMM: So there's nobody  
17 here? Now I've already asked the Chancellor to  
18 make sure that they have somebody here. This is  
19 very, very disappointing, especially when it  
20 comes to hearing from our parents. And I am  
21 very upset about this. And I'm going to be  
22 writing a letter again to the Chancellor to  
23 demand that they have personnel here. This is  
24 unacceptable. You better get somebody over  
25 here ASAP.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

NOAH GOTBAUM: Very unacceptable.

CHAIRPERSON DROMM: Noah?

NOAH GOTBAUM: No, no, thank you.

CHAIRPERSON DROMM: I got caught up  
in that.

NOAH GOTBAUM: No, I appreciate it,  
Mr. Chairman.

CHAIRPERSON DROMM: It just--it's  
outrageous--

NOAH GOTBAUM: [interposing] You're  
expressing--

CHAIRPERSON DROMM: that this is  
happening again. I brought this up at the very  
first hearing, that I want DOE people here. You  
deserve this respect and the courtesy as this  
committee does as well.

NOAH GOTBAUM: Well, I thank you  
very much. Noah Gotbaum, I'm a public school  
parent of three. Two of my children have IEPs,  
one more severe than the other. I'm also the  
former President and the Vice President of  
Community Education Council District Three. I'm  
also the Chair of the Charter and Space  
Planning Committee. We have quite a bit of



1  
2 experience with charters and charter co-  
3 locations in District Three which encompasses  
4 west and central Harlem and the Upper West  
5 Side. We had the first charter in New York City  
6 in our District. We had the first co-location.  
7 We had the first Success Charter. We now have  
8 13 charters, seven co-located, six of which are  
9 Success Charters. So I'm going to talk about my  
10 experience and our experience largely based on  
11 the chain of Success, which they are the  
12 largest so that may be. I'm also--I'm really  
13 very, very gratified you're holding this  
14 hearing. I'm gratified as a parent. I'm also a  
15 member of the CEC city wide working group. It's  
16 a working group of almost 90 members of CEC  
17 members throughout the city. We met. We met and  
18 we wrote a letter to de Blasio before we came  
19 in and we highlighted charter co-locations as  
20 an issue. When a group of us met with  
21 Chancellor Farina, twice the Presidents at CECs  
22 have met with Chancellor Farina, the number one  
23 issue off the charts was charter co-locations.  
24 Staten Island to Sound View [sic] in the Bronx,  
25 Queens, Brooklyn, Manhattan, number one issue

1  
2 by far of parent leaders representing 1.5  
3 million public school parents. So Eva Moskowitz  
4 may get 70,000 up in Albany, we're talking  
5 about a million and a half parents we  
6 represent. The other reason I'm very gratified  
7 you're having this is because there has been no  
8 accountability. There has been no transparency.  
9 And I want to give you a couple examples of why  
10 I say that, and then a couple of quick  
11 recommendations. The DOE has failed miserably  
12 in terms of any type of oversight. It is  
13 supposed to be implementing these EIS's. It has  
14 basically skewed them completely towards the  
15 charters.

16 UNKNOWN: Yeah.

17 NOAH GOTBAUM: The charter  
18 authorizers, and now DOE's no longer an  
19 authorizer, SUNY and Regents, where are they?  
20 Why are they not here? If they are supposed to  
21 be overseeing the charters in New York, why are  
22 they not here? What they have done is like a  
23 drone missile. They authorize them. They send  
24 them to a particular district. In our case  
25 because we have Harlem in our District and all

1  
2 these charters want to have Harlem in their  
3 name, they come into District Three, they're  
4 dropped down without a location, without any  
5 qualifications. So having this hearing is  
6 critically important. I want to give you a  
7 couple of quick examples of what I'm talking  
8 about lack of accountability. Charters have to  
9 do a marketing plan as part of their initial  
10 charter, say they're reaching out to. And  
11 again, I'll talk mostly about Success. Eva  
12 Moskowitz when she set up her charters had to  
13 by law because this was her preference, had to  
14 outreach two ELLs to other types of kids in  
15 need. Well, we did a little bit of foot work to  
16 see this. She was marketing below 96<sup>th</sup> Street  
17 in our district. She left out the lowest income  
18 zip code in our district. And when we were told  
19 after getting--I, personally, and I didn't have  
20 any kids who could have gone to the charter  
21 because they were too old, "why are you sending  
22 me so much stuff?" She was told, "You're  
23 supposed to be marketing to ELLs." Well she  
24 said, "We don't have to do that. They can find  
25 their own school." When we asked SUNY, "Are you

1  
2 overseeing them? Are you looking at their  
3 marketing?" Which was in the plan, they said,  
4 "Sorry." When Eva Moskowitz went to change her  
5 charter and when all charters go to change  
6 their charters, they have to make a charter  
7 amendment. They do it through SUNY, but they're  
8 supposed to be a public hearing. Well, when she  
9 went to change her charter to increase her  
10 management fee and to rid herself of special  
11 needs designations for the lottery, so to get  
12 preferences, because she got rid of those  
13 preferences. The DOE held a hearing on behalf  
14 of SUNY. Well, we said--we found out about it  
15 two days before the hearing, and we said, "What  
16 is this about?" And we got a seven line  
17 description. This was for a major change in the  
18 charter. And we called up SUNY and we said,  
19 "SUNY, we need to know what this is about.  
20 Okay? You're having a public hearing, can you  
21 give us--give us the meaning of this?" You  
22 know what they said to us? "You have to FOIL  
23 [sic] for it." So they're telling us to file a  
24 Freedom of Information Act request to find out  
25 what the public hearing was about. Is that

1  
2 transparency? And I'll give you one last  
3 example. One of the things that has to be  
4 overseen is enrollment, okay? The lottery is a  
5 sham. It's a black box. So how do I know this?  
6 Well, they set up, Eva Moskowitz set up Upper  
7 West Success in our district, the first  
8 integrated, if you will, charter school. And  
9 she did marketing for it, spent over a million  
10 dollars, and supposedly had a waiting list of  
11 1,600 kids for 188 spots. And we were told  
12 this by SUNY. I got a piece of paper as  
13 President of the CEC showing this information.  
14 Well, turns out that she was only able to fill  
15 164 of our 188 spots, even though she had 1,600  
16 people on this waiting list. So we said, "Can  
17 you explain this to us? Either your demand is  
18 phony, either you don't have a waiting list of  
19 1,600 or you're doing the most incredible  
20 screening I've ever seen." So we went to SUNY,  
21 and we said, "SUNY, please explain this to us."  
22 SUNY said, "We can't. It's not our  
23 responsibility. You have to go talk to their  
24 Board." So we sent a letter to the Board  
25 saying please explain your lottery. What came

1  
2 out of it? No response. We foiled three and a  
3 half years ago for the information on the  
4 lottery. The DOE stopped sending us compliance  
5 letters. Bottom line is, there is no  
6 accountability at the State level and their  
7 authorizers. There's no accountability at the  
8 DOE level. So what I would ask is the  
9 following. In terms of the educational impact  
10 statements, they're phony. They're illegitimate  
11 and they have been, but when I asked, when you  
12 asked the DOE, "Do you go back and review your  
13 educational impact statements to see?" Because  
14 they're all--they're made up numbers. She said,  
15 "Yes, we look at them." Well, they never  
16 revised them. So what happens is you'll get--we  
17 have massive enrollment in our public schools  
18 and she is not getting numbers in her charter  
19 school, but the DOE doesn't revise the space  
20 plans. That has to be done. There has to be a  
21 review of the EIS's. There has to be a review,  
22 an open transparency on enrollment. At  
23 Moskowitz's only high school, if you look at  
24 her schools the ones that have existed, she has  
25 attrition rates of 60 and 70 percent. Next year

1 she opens up her first high school. That class  
2 that started with 87 kids is probably going to  
3 have 20 or 25 tops. Seven out of ten, eight out  
4 of ten kids are gone. That has to be looked at,  
5 and some parents from Success will talk about  
6 that, but the numbers at the same time the  
7 enrollment numbers have to be opened up. You  
8 asked about 149 and 811, okay? 149 has 15  
9 percent of their kids who are homeless. Harlem  
10 Success One has zero. 149 has six self-  
11 contained classes by itself of 350 kids. Eva  
12 Moskowitz had 6,700 kids, has zero self-  
13 contained classes over 22 schools. These are  
14 not the same kids. And then we get information  
15 and you're looking for it on free and reduced  
16 lunch, let's delineate. Let's delineate  
17 between special needs kids, not give some  
18 nebulous information. If you go looking for  
19 this information you can't get it. So I'm  
20 really gratified you're doing that. I want to  
21 just end up by expressing to you some things  
22 that teachers and parents have come to me  
23 because they're afraid to speak out. They see  
24 how powerful Success Charter is, and they are  
25

1  
2 afraid. So for example, in terms of teacher  
3 attrition, that should be looked at. You'll  
4 hear from a parent whose had three different  
5 teachers for her third grade kid. Attrition  
6 rates are 50, 60, 70 percent, and it's not  
7 publicized. It's not seen. On terms of  
8 operations in co-locations, our principals are  
9 not able to implement safety programs because  
10 Success won't work with them. The nurses, I got  
11 a call from a head nurse last night saying,  
12 "Would you please express this?" What they're  
13 doing is they're medicating their kids. They're  
14 not sending kids who are sick to the nurse and  
15 they're putting all of our kids at risk.  
16 They're not abiding by the regulations, and no  
17 one's looking into it. And finally, matching  
18 funds, there's a matching funds policy. Not  
19 implemented. No one knows where that money  
20 goes. And I would say too, also you're going to  
21 hear from parents, but the parents of the kids  
22 in these schools, they have nowhere to turn.  
23 They have nowhere to turn. They're intimidated  
24 if they want to get out or if they want to say.  
25 And this committee, this city needs to be--



1 stand up for them. And I will--lastly, I would  
2 finally say this, we're talking about  
3 collaboration and sharing best practices, which  
4 is an admirable goal, because what we really  
5 want is that all kids get a great education.  
6 There's no question about that. I firmly  
7 believe after six years of being intimately  
8 involved in this, that you cannot have it both  
9 ways. You cannot say that charters are there to  
10 provide choice, which means competition for our  
11 public schools and at the same time they ought  
12 to cooperate and collaborate. Because  
13 competition is about winning. It is about  
14 defeating, and Eva Moskowitz is merely the best  
15 practitioner of that. She doesn't try to just  
16 educate her kids. She tries to win, and when  
17 she wins it means the other kids are losing. So  
18 she is calling our public schools losers. She  
19 tells our kids they're losers. She takes  
20 resources away and I can go on and on, but I  
21 want to end it there. But if we really want  
22 collaboration, then we have to end this notion  
23 about charters in competition, and frankly I  
24 don't think that's possible. I think the horse  
25

1  
2 is out of the barn. So I think what we really  
3 need to do is a moratorium on the charters and  
4 the co-locations and focus on the 94 percent of  
5 the kids who are in our public schools. Thank  
6 you.

7 CHAIRPERSON DROMM: Thank you. Next?

8 KAREN SPROWAL: I was going to say  
9 good morning, but I guess it's the afternoon.  
10 And then there were two. Thank you so much for  
11 having this hearing and you know, allowing us  
12 to be able to come here as parents and speak. I  
13 appreciate you so much. Thank you. So much of  
14 what I was going to say including a quote from  
15 Diane Ravage [sic] you said in your statement,  
16 so, and so much of it has been expressed.

17 CHAIRPERSON DROMM: Are you Karen  
18 Sprowal?

19 KAREN SPROWAL: Karen Sprowal.

20 CHAIRPERSON DROMM: Yeah, I just  
21 wanted to say it for the record.

22 KAREN SPROWAL: I'm so sorry. My name  
23 is Karen Sprowal. I'm a parent of a fifth  
24 grader in District Three that attends public  
25 school 75.

1  
2 CHAIRPERSON DROMM: Okay, thank you.

3 KAREN SPROWAL: So again, thank you  
4 so much for the two of you still being here. I  
5 appreciate it so much. So, like I said, so much  
6 has been spoken about and I'm not going to  
7 rehash and go over it. But I just wanted to put  
8 a face and put a very personal, intimate  
9 testimony on what it really looks like, how it  
10 impacts and what it really looks like of all of  
11 the stuff that we're talking about, the  
12 politics of all the things that we're talking  
13 about. I'm here today to speak to you as a  
14 former charter school parent, and about the new  
15 free rent laws and the millions of dollars they  
16 give away to charter schools that have  
17 absolutely no accountability to anyone,  
18 including the--especially the DOE. Around the  
19 time my son was turning five I started getting  
20 these glossy colorful colored colorful charter  
21 school brochure mailings daily. After reading  
22 them and doing a little bit of research and  
23 even meeting Eva Moskowitz myself up in Harlem  
24 a couple of times at school choice fairs, I  
25 became foolishly convinced that all public

1 schools, particularly the ones in my  
2 neighborhood, which is in Washington Heights  
3 and has a high number of ESL learners, I mean,  
4 ESLs that all public schools were failing  
5 schools and that charter schools was the new  
6 progressive choice. So I just wanted you to see  
7 this. I hate to speak of my son in an abstract  
8 way. This is a picture of my son Matthew, and  
9 this particular picture here is the day that we  
10 got his Harlem Success Academy uniform, and you  
11 know how kids do a happy dance when they get  
12 food or get something they do a little happy  
13 dance? He was doing his little happy dance. He  
14 was so happy. We were ecstatic, and it was this  
15 big fan fare when he got accepted and won the  
16 lottery. Governor Patterson took pictures  
17 within him. It was just huge. We were so  
18 excited and this was him. So during the first  
19 week of kindergarten at Harlem Success, as you  
20 can see he was happy, so excited to be leaving  
21 daycare and be going to big boy school, but  
22 after only a few days his early school career  
23 turned into a nightmare for him and I both.  
24 After only 12 days, Harlem Success Academy  
25

1  
2 suspected that he would require--that he had a  
3 learning disability. This is very short. Along  
4 with a few other boys, there was about three  
5 other boys in the class too, they were also--I  
6 think they were immigrants. And so within a  
7 couple--within two or three days they had took  
8 all of these children and they had put them,  
9 including my son, and put them at a table in  
10 the back. And these administrators came in and  
11 they would sit down and they would take notes.  
12 They weren't teachers. They didn't introduce  
13 themselves. We didn't know who they were. They  
14 just came in and observed my son and these  
15 other boys and took notes, and that happened  
16 for a couple of days. Eventually we were all  
17 systematically counseled out. In fact, we were--  
18 -I was bullied, harassed. My son and these  
19 other boys were marginalized by being sat in  
20 the back. We were threatened by the  
21 Administration until we were--until I was just  
22 eventually finally worn down, and by the third  
23 week of school I left. To say the least, our  
24 charter school experience was absolutely  
25 devastating. My son's spirit and his zest for

1  
2 learning was completely broken. By the time my  
3 son entered a real public school one of the  
4 notes in his evaluation by a doctor that I had  
5 demanded do a evaluation before we left that  
6 was hired by Harlem Success Academy said in her  
7 notes, she said that he was being damaged by  
8 this initial school experience and that she  
9 suggested strongly that I get him out as soon  
10 as possible, and that was one of the factors  
11 that made me finally just worn down and said,  
12 you know, this wasn't about a fight. It was  
13 about Matthew. Let me get him out of this  
14 school. The contrast between Harlem Success  
15 Academy and a public school was startling to  
16 me. The public school teachers were teaching in  
17 closets. They're teaching in hallways. They  
18 were teaching on stair steps due to lack of  
19 shared school space. The class sizes got larger  
20 with each year. Resources became more and more  
21 a limit. Yet, despite all of these realities,  
22 my son was welcomed. His learning differences  
23 were valued and appreciated. They were patient  
24 and compassionate. My son not only had a new  
25 school, but we had a caring and supportive

1  
2 community base. There is value in having a  
3 teacher that taught you and your brother and  
4 maybe your mother or your uncle who also works  
5 in the school, who also lives in the community,  
6 who also have children that go to that school.  
7 There's much value in that and that's what we  
8 experienced at our school. I became very  
9 involved after this experience and myself and  
10 other PTA--I got involved in PTA and we would  
11 work sometimes almost 40 hours a week to raise  
12 money and what I realize is that our sole  
13 function had became to support school budgets  
14 as each year went on. I'm almost finished,  
15 about to wrap up. Our solely support school's  
16 budget for the most basic and fundamental  
17 resources like teachers supplies, toilet paper  
18 too keep discontinued music and art programs  
19 and mid-year school budget cuts to supportive  
20 staff. We would pay their salaries. And there's  
21 other type of things. I was in a school where  
22 we can actually, you know, part of the school  
23 was affluent, a small portion of them. So we  
24 were able to actually raise those salaries that  
25 those other people talked about that they

1  
2 wanted to compare, to where we can pay--you  
3 know, when a budget cut came down and there's  
4 only two support staff of 500 children, we were  
5 able to kick in and pay their salary and do  
6 things like that. So this is how we left the  
7 school. And our records, the attrition, how  
8 they showed how they put that code in there of  
9 how we left, they put it in there as a family  
10 transfer. So I'm wondering do they have a code  
11 for when they counsel you out and bully you out  
12 like that because that's how we left, and  
13 that's what you see on Matthew's record, that  
14 it was a family transferred. Our charter school  
15 experience taught me that the very foundation  
16 of the charter school system creates--the very--  
17 -let me just go back. Our charter school  
18 experience taught me that we have created a  
19 system, we, the people, where charter schools  
20 do not have to play fair or by any rules. The  
21 cherry picking practices among others are  
22 brutal, undemocratic, damaging to students and  
23 to the very fabric of our communities. What was  
24 far the worst thing during this experience was  
25 that there was no one to go to for help. There



1  
2 was no one. I called people. I tried to talk to  
3 people. There was not one person that I could  
4 go to. There was no recourse, there was no  
5 accountability. They just--there was nothing.  
6 We were completely on our own, and what I'd  
7 like to say to you is that, you know, we the  
8 people are funding a rigged, seriously flawed,  
9 unchecked, unaccountable private corporation of  
10 schools that creates horrible inequitable  
11 conditions for our real public schools, and I  
12 just don't understand why are we supporting a  
13 system that pits public school parents against  
14 privately run schools. And I want to finish up  
15 with this. I come from a generation where I was  
16 taught that education in America was the  
17 equalizer for everyone, no matter what your  
18 religion was, your sexual identity, your  
19 nationality, your social or economic status.  
20 Our public schools are the lifeline in a pulse  
21 of our communities, not corporations, and I see  
22 my personal experience was one of that. And you  
23 know, I humbly ask this committee to do what  
24 the we the people elected you to do for the 97  
25 percent of New York City students. Amend this

1  
2 terrible law that's this free give away, that's  
3 pretty much giving the green light for every,  
4 any hedge fund or any privately owned  
5 corporation that want to come here and set up  
6 shop. And remember that, you know, everyone--  
7 all elected officials are supposed to be  
8 working for we the people, not--we're not  
9 stakeholders. I'm not a stakeholder. I'm a  
10 parent in a community, and we parents say it's  
11 enough. And I'm just going to wrap this and  
12 finish. Last thing, since I've been here I'm  
13 very torn about what I think about public  
14 education today. It's five years later. Since  
15 I've been here I've gotten eight calls from my  
16 son's school, and I finally took one and I got  
17 a message that he was on the floor screaming  
18 and crying. Apparently--he's a special needs  
19 child. Apparently, there was no power [sic]  
20 for him today so they didn't let him go into  
21 recess, and he had a melt down, and since I've  
22 been here, in all the hours that I've been  
23 here, three teachers and two aides have spent  
24 their lunch hour with him trying to coast him  
25 and stuff, and this is the kind of stuff that

1  
2 we do every day in public schools. And let me  
3 just say this, by the time my son was in second  
4 grade in the public school, they had him in a  
5 class with 18 students and two teachers, and he  
6 was in a CTT class. He did so well that he was  
7 tested and he scored in the superior IQ level  
8 and they wanted him to go into the gifted  
9 program. This was in a public school. So this  
10 is not rocket science stuff. We don't have to  
11 spend millions of dollars to create another  
12 system to compete with. A smaller class size  
13 and two good teachers is what made this child  
14 excel. You know? And now we're back because of  
15 the budget cuts, the classes are now close to  
16 30. There's one--there's no special ed teacher  
17 and my kid is just unraveling. He's spent more  
18 time out of school than in school this year.  
19 He's completely unraveling. So I'm devastated.  
20 Thank you.

21 CHAIRPERSON DROMM: Thank you very  
22 much for that testimony, and as a parent it's  
23 vitally important that we hear your voices,  
24 because you are the first educators of our  
25 children. You have every right to dictate how

1  
2 you want your children to be educated and the  
3 Department must listen. So I really appreciate  
4 that. I appreciate hearing--

5 KAREN SPROWAL: [interposing] Thank  
6 you so much.

7 CHAIRPERSON DROMM: your experiences  
8 at Success. I think you've shined a light on  
9 that and we can empathize with that and  
10 understand what it is, what difficulties you  
11 must have gone through, especially--and I  
12 turned to Council Member Barron and I said,  
13 "There's nobody to turn to when you don't have  
14 anybody that's holding you accountable."  
15 Nobody to complain to. Nobody to say this is  
16 wrong and this shouldn't have been done to my  
17 child, and that really is the focus of what we  
18 wanted to get at today, not this war that goes  
19 on, this public relations thing that media  
20 loves to eat up, but what about our parents  
21 when they have nowhere to turn to. Who do they  
22 go to?

23 NOAH GOTBAUM: Mr. Chairman, if I  
24 could.

25 CHAIRPERSON DROMM: Yes.

1  
2 NOAH GOTBAUM: We have a parent who  
3 represents a number of parents at Success  
4 Charter, she has to go back to work, but I  
5 think what she will have to say is pretty eye  
6 opening. I know that her time is short, but if-  
7 -

8 CHAIRPERSON DROMM: [interposing]  
9 She's here?

10 NOAH GOTBAUM: Yeah, she's here.

11 CHAIRPERSON DROMM: Let's bring her  
12 up, and we'll bring up another panel. Just I  
13 want to just make a couple of comments. I heard  
14 all of what you said Noah, and I want to talk  
15 with you further about that. Perhaps we should  
16 sit down at some point and discuss some of your  
17 recommendations which I thought were excellent  
18 moving forward. I am particularly concerned  
19 about the waiting list. The waiting list has  
20 been at 50,000 for a number of years and it's  
21 kind of suspicious how it's always at 50,000,  
22 you know, and how they come up with those  
23 numbers exactly, I don't know. And I do want to  
24 just say from my experiences having been a  
25

1  
2 teacher, the nature of competition in education  
3 is wrong.

4 NOAH GOTBAUM: I totally--

5 CHAIRPERSON DROMM: [interposing] We  
6 need to be collaborative in education, and I'm  
7 so glad that the new Chancellor is stressing  
8 the idea of collaboration. Let me tell you, as  
9 a teacher, if I had a good idea and my kids  
10 were scoring well, do you think I'm going to  
11 want to share my idea with the person next door  
12 so that she can do better than me? You know,  
13 no, of course not. So that's why competition in  
14 the schools is not good thing to have. And  
15 finally, closets, we had a maintenance closet.  
16 They came in one day right next to the staff  
17 room, they took out the pitchfork, they took  
18 out the rake, they took out the salt, they  
19 threw up a coat of paint and they made the  
20 maintenance closet where they used to keep the  
21 pitchforks and all that stuff into a speech  
22 classroom. No windows, just enough room, but we  
23 survive in public schools, okay. No toilet  
24 paper, common thing. Teachers bring toilet  
25 paper with them to school.

1  
2 KAREN SPROWALS: Absolutely.

3 CHAIRPERSON DROMM: Or ask the  
4 parents to bring the toilet paper in, and it's  
5 put on the shelf or the chalk rack, and then  
6 the kid, when he has to go to the bathroom  
7 takes the toilet paper roll with him into the  
8 bathroom. What's going on in our public--

9 NOAH GOTBAUM: [interposing] And how  
10 do our kids--

11 CHAIRPERSON DROMM: schools?

12 NOAH GOTBAUM: How do our kids feel?

13 CHAIRPERSON DROMM: Of course.

14 NOAH GOTBAUM: I don't know if you  
15 saw, but a Pulitzer Prize winning journalist  
16 Tri Meng Lee [sp?] wrote a story about 149 and  
17 811 and quoted one of the teachers where  
18 talking about the kids have their noses pressed  
19 up against the glass looking into Success  
20 Charter's hallway, but they can't get in there,  
21 and they can't get the same things. They can't  
22 get the fresh direct. They can't get that same  
23 lighting. They can't get the same smart boards.  
24 They can't sit at the same chess rooms and  
25 dance rooms, and that's just wrong.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CHAIRPERSON DROMM: And thank you.

And to my friend from the New York Civil Liberties Union as well, this is absolutely a civil rights issue.

TAYO BELLE: Absolutely.

CHAIRPERSON DROMM: And as I was reviewing and preparing for this hearing, I saw even in the Coney Island Prep Charter School, their dedication supposedly to the civil rights, but all of what has been said here in terms of the discipline policies and things like that, if we don't put our children first and don't do things like this we are in violation of their civil rights. And so I thank you for stressing that point. That is a very, very important point to be made.

TAYO BELLE: Right, and if you won't mind, I would just like to point out that the Federal Government agrees with you as, I'm sure, saw in January of this year, this was also included in my testimony, the US Departments of Education and the US Department of Justice both came down with joint federal guidance speaking about the federal civil



1  
2 rights commitment that all school districts  
3 need to make sure that they're upholding, and  
4 so making sure that all schools are in  
5 compliance with the Civil Rights Act of 1964  
6 and just making sure that students are not  
7 being discriminated against on the basis of  
8 their race. For instance, in classroom and also  
9 the individuals with disabilities, the  
10 Education Act protects against discrimination  
11 as well against students in schools. So this is  
12 a commitment that even the Federal Government  
13 has it opens up charter schools to federal  
14 liability really if they're not in compliance  
15 with these laws. So we would just really stress  
16 that this needs to be thought of a little bit  
17 more carefully.

18 CHAIRPERSON DROMM: And why any  
19 charter school in this day and age would want  
20 to fight protection of civil rights for anybody  
21 in the tutelage is just beyond me. Thank you.  
22 Thank you all for coming in.

23 KAREN SPROWAL: Thank you so much.

24 CHAIRPERSON DROMM: We want to bring  
25 up the other parent so we can hear her and we

1  
2 want to bring up our next panel. Noah, just--  
3 would you approach the bench? So, okay.  
4 Elizabeth Ellohiem [sp?], would you come up?  
5 Okay. Selena Dowy Deanar [sp?] Denarine [sp?],  
6 I'm sorry from the Bedford Academy High School.  
7 Still here? Okay. Yeah, you can leave the  
8 written testimony if you want to. I'm sorry it  
9 took us so long to get to you. Thank you for  
10 being here with us today. Do you want to speak?  
11 Okay. So let's--do you want to speak, Selena?

12 SELENA DOWY-DEONARINE: Yes.

13 CHAIRPERSON DROMM: Okay.

14 SELENA DOWY-DEONARINE: Good

15 afternoon. My name is Selena Dowy Deonarine  
16 [sp?]. My daughter--

17 CHAIRPERSON DROMM: I'm sorry, I have  
18 to swear you in. Raise your right hand, please,  
19 both of you. Do you solemnly swear to tell the  
20 truth, the whole truth and nothing but the  
21 truth and to answer Council Member questions  
22 honestly?

23 SELENA DOWY-DEONARINE: I do.

24 CHAIRPERSON DROMM: Thank you.

25

1  
2           SELENA DOWY-DEONARINE: My name is  
3 Selena Dowy Deonarine, and my daughter Tasia  
4 [sp?] Deonarine and Adriana Deonarine attended  
5 the Explore Charter School on Schnider Avenue  
6 in Brooklyn, and--catching my breath, I  
7 apologize.

8           CHAIRPERSON DROMM: Just catch your  
9 breath.

10           SELENA DOWY-DEONARINE: I'm just  
11 going to read off my statement. I have three  
12 children, all of whom are products of the New  
13 York City public school system. When my girls  
14 Adriana and Tasia were younger they attended  
15 the Explore Charter School in Brooklyn. Adriana  
16 from Kindergarten until Second grade and Tasia  
17 attended from kindergarten until first grade.  
18 Adriana was gifted and during her time at  
19 Explore she excelled and was skipped from the  
20 first grade to the third grade. However, for a  
21 period of two weeks. This change was short  
22 lived, however, because of her fellow students  
23 babied her and she asked to be moved back with  
24 her friends. After that, the teacher Ms. North  
25 set up a special area just for her with

1  
2 advanced third, fourth and fifth grade material  
3 for her to complete at her own pace. All of the  
4 material was gone by February of the following  
5 year. Tasia, however, was quite a different  
6 story. What we wouldn't learn for four years  
7 was that she had learning differences, ADD and  
8 Dyslexia to be exact. While attending Explore,  
9 Adriana--sorry, Tasia displayed the need for  
10 additional assistance because of her  
11 disabilities. What she got was indifference.  
12 The teachers and administration staff at  
13 Explore informed me that because she couldn't  
14 keep up with the class work they were not  
15 accepting her for the second grade. Imagine  
16 being told that a school had given up on your  
17 child after two years. As an adult and a  
18 parent, I was outraged. As a child, she was  
19 scarred, not scared, scarred and confused. How  
20 dare you. How dare you take my child or  
21 anybody's child for that end and use them to  
22 further your own agenda. What do you tell a  
23 child when she asks, "Mom, what's wrong with  
24 me? Why can't I get this?" And then says  
25 she's giving up. My immediate response was to

1  
2 go to the school and ask for help, and I was  
3 shocked and angry at their response to me.  
4 Their suggestion was to pull her, put her into  
5 regular public school. They have to deal with  
6 her, they told me, and she'll get the help that  
7 she needs. They also instructed me to tell them  
8 she has a late December birthday, and to place  
9 her back into the first grade. No one's ever  
10 going to know. I would know. Tasia would know.  
11 To this day, Tasia reflects on her experience  
12 and gets solemn about it. Simply asking her to  
13 relive the experience brings her to tears. When  
14 I told her I was coming here today, she said,  
15 "Mom, go get 'em." I pulled both girls out the  
16 following September and did exactly that,  
17 placed them into a regular public school. It  
18 has--it was the best choice that I ever made.  
19 My son, who also attended public school,  
20 currently attends Virginia Tech College of  
21 Engineering. Adriana attend high school at a  
22 boarding school in Connecticut, and Tasia, a  
23 proud product of the New York City public  
24 education system currently attends Bedford  
25 Academy high school and is a three year scholar

1  
2 with the Harlem Educational Activities STEM  
3 [sic] education program, an amazing  
4 accomplishment for a child who was told at age  
5 seven that she was expendable. Regular public  
6 schools don't have the choice to pick and  
7 choose the cream of the crop of the student  
8 population and charter schools shouldn't  
9 either. I chose to put my--I choose to put my  
10 support and tax dollars behind regular public  
11 schools and schools for kids--schools for all  
12 kids, and I challenge you to do the same.

13 CHAIRPERSON DROMM: Thank you very  
14 much for that moving testimony and thank you  
15 for standing up for your daughter and for your  
16 rights as well and for staying with us today.  
17 It's a beautiful story to hear the success that  
18 they made because of your persistence and your  
19 belief in your own children. God bless you and  
20 thank you for coming.

21 SELENA DOWY-DEONARINE: Thank you.

22 ELIZABETH ELLOHIEM: Hello, my name  
23 is--

24 CHAIRPERSON DROMM: [interposing]  
25 Just turn that on. Yeah. Light is on?

1  
2 ELIZABETH ELLOHIEM: Yes.

3 CHAIRPERSON DROMM: Okay.

4 ELIZABETH ELLOHIEM: Hello, my name  
5 is Elizbeth Ellohiem [sp?] and I'm of a third  
6 grade student at the Harlem Success Academy One  
7 flagship location. I'd like to start off by  
8 saying thank you for holding this meeting and  
9 giving us a opportunity to share our stories  
10 and experience, and at this time I am  
11 diligently looking for a new school environment  
12 for my daughter to go. I'd like to start off by  
13 just giving a brief personal experience at this  
14 school. Some time back in October of 2013 I was  
15 banned from the school. That means banned from  
16 picking up my child, banned from any and all  
17 school activities, trips, parent/teacher  
18 meetings, everything, and I was banned from the  
19 school because my daughter's classmate of hers  
20 had actually been--was not allowed to use the  
21 bathroom from 8:30 in the morning until 12:00  
22 on the afternoon. That day, that student was  
23 very hurt and upset by it. She let me know. I  
24 asked one of the te--I asked her teacher why  
25 wasn't she allowed to use the bathroom, and her

1  
2 teacher just blatantly said she was being  
3 disrespectful, and I again asked her, "okay,  
4 but she says she's been waiting from 8:30 until  
5 12:00. Thinking that the teacher was going to  
6 say, "Oh, I forgot." Or, you know, "Where was  
7 mind? Let me get somebody to bring her to the  
8 restroom." And again she repeated that the  
9 child was being disrespectful and rude. I then  
10 took the child to the bathroom myself, waited  
11 outside for her to go and when she came out I  
12 took her back to where she was supposed to be.  
13 Upon doing so, one of the administrative, the  
14 leadership staff there came down. I spoke to  
15 her about it. She was not really paying me any  
16 mind. She was really being disrespectful by not  
17 even listening to my story, and by the time it  
18 was done all I know is they were trying to  
19 escort me out the building. I came to pick up  
20 my daughter and I was presented with a letter  
21 saying I was being banned. She tried to shove  
22 the letter at me and tell me to read it when I  
23 got home. I said, "No, you're going to stay  
24 right here while I read it." I read it. There  
25 was misspelled letters. There was typos. There



1  
2 was dialogue that made absolutely no sense, but  
3 there was nothing about me taking the little  
4 girl to the restroom. These are some of the  
5 tactics and things that they use in order to  
6 basically push you out and start intimidating  
7 you when they feel that you are threat to their  
8 design at their school. They often lie and they  
9 don't tell the full story or they cut corners  
10 in order to just make themselves look better.  
11 I'm still banned from the school. Again, like I  
12 said, my daughter still attends because I have  
13 been looking. I know that they do these things  
14 in order to intimidate you and rush you out and  
15 make sure, like, oh you have to put your child  
16 in just any location. It becomes a very  
17 intimidating process. But I would like to list  
18 overall I feel the design of the charter school  
19 and Eva Moskowitz Success Academy are a  
20 business model, and it's set up like a big box  
21 corporation. Success Academy handles issues  
22 internally and they regulate themselves,  
23 resulting in poor investigations, mishandling  
24 serious complaints. The grievous policy lacks  
25 proper communication regarding issues

1 ultimately that should be handled in real time.  
2 This process can be long and futile and  
3 contributes to a lack of respect and  
4 resolution. Behavior and discipline, oppression  
5 of children in their individuality, creativity  
6 and freedom. It's cruel and extreme.  
7 Disciplinary actions are not age appropriate.  
8 Parents in community's degradation of the  
9 Success Academy parental communities are  
10 condescending style of communication and  
11 underlying racism imbedded into the Success  
12 Academy's design. Non-unionized teachers--  
13 teachers have to adhere to policies that create  
14 problems with communication with parent and  
15 leave no room for adjusting, teaching and  
16 learning techniques for the children that need  
17 a different approach in order to truly succeed  
18 and high and excessive teacher turnover rates.  
19 My daughter has had three teachers this year  
20 already. Other students have had up to five.  
21 Even--it's just--and the children, they're in  
22 and out too because it just becomes too much.  
23 Major changes in Success Academy's policy or  
24 protocol are not--we are not given notice. We  
25

1  
2 aren't given written notice. It's not in their  
3 handbook anywhere. They change at whim, and  
4 you're in there and you're just finding out  
5 just like that. The design of this school is  
6 experimental and the psychological effects can  
7 be catastrophic, possibly settling our  
8 communities back generations. Overall, Eva  
9 Moskowitz has created a penal and punitive  
10 environment for children's mindsets. To be  
11 molded--to be molded into under--to educated  
12 under classmen. She has racial profiled and  
13 targeted a demographic to fuel her machine and  
14 make her half a million dollar salary. She has  
15 used our communities and our children to build--  
16 -she's built her name off the backs of our kids  
17 and our communities and there has to be  
18 awareness brought to the situation that is  
19 happening behind closed doors. There are  
20 parents that are afraid to speak up or they  
21 just are ready to pull their kids out because  
22 the pressure of going through this has been so  
23 demeaning and it's absolutely unbelievable. And  
24 for people who have never experienced this type  
25 of attack, because that's what it is disguised

1  
2 in great education. I feel as though in years  
3 to come, 20, 30 years from now you will see a  
4 different type of children and they will be  
5 automatons, just going through the motions of  
6 this society and it's terrible. And I really  
7 hope that other parents do come forward and  
8 know that it is okay to speak up. You know,  
9 just because someone has money or this big--or  
10 they're this big public figure, that doesn't  
11 mean that your words or the way you feel or  
12 what you have experienced is any less, any  
13 less. And I do hope others come out and I just  
14 thank you very much for everyone listening and  
15 time and respect. Oh, yes. Yes, and just to  
16 touch on the rally for March 4<sup>th</sup>. Being that I  
17 am a banned parent, I, you know, I haven't  
18 really been able to participate in much, but  
19 the rally for March 4<sup>th</sup> that she had put  
20 together, she had sent excessive emails, phone  
21 calls, text messages and I did go to one of the  
22 meetings that they had put together in order to  
23 get the parents together for this rally. When I  
24 went to the meeting I listened to what they had  
25 to say. I got a phone call the next day or

1  
2 something like that or that following Monday  
3 because I think it was on a Friday, and they  
4 told me that I violated the ban and that I was  
5 not welcomed to the rally because I was not  
6 allowed on their buses, but yet they sent a  
7 letter home saying that any family or friends  
8 are invited. So you would be willing to invite  
9 random people on your buses around children,  
10 not knowing if these people who they are.  
11 You're not screening them, but you are really  
12 hard on not allowing a parent that's banned,  
13 it's not even in your building, to a rally. Not  
14 that I was supportive anyway. I will make that  
15 clear. I was not supportive, but it just shows  
16 you the lack of respect that they have for  
17 their parent community and they are very on top  
18 of and careful about making sure that issues of  
19 parents that are going through all of these  
20 things don't seep into the parents that aren't  
21 having these issues. So they hold separate  
22 meetings and everything at times, you know, if  
23 there are issues that they feel are really  
24 extreme.  
25

1  
2 COUNCIL MEMBER BARRON: Sorry that  
3 that happened to you. It certainly doesn't talk  
4 about respecting parent's rights and having  
5 them involved and having them to have a voice--

6 ELIZABETH ELLOHIEM: [interposing]  
7 Right.

8 COUNCIL MEMBER BARRON: in what's  
9 going on in the school. Do they have a formal  
10 parent body of any sort that functions in that  
11 school?

12 ELIZABETH ELLOHIEM: Yes, they do.  
13 They have a parent council. There's a  
14 president, secretary, you know, the whole--and  
15 I--

16 COUNCIL MEMBER BARRON: [interposing]  
17 Would you say that they're independent and that  
18 they're autonomous or that they are rubber  
19 stamps for the school, or that there's a  
20 combination or a range?

21 ELIZABETH ELLOHIEM: Well, I feel  
22 like the school just has that put together in  
23 order to make sure--you know, I feel like it's  
24 kind of just in place. I don't feel like the  
25 parents are like, you know, doing this on their

1  
2 own. I feel like this is something that's set  
3 up within the structure of the school.

4 COUNCIL MEMBER BARRON: Formality.

5 ELIZABETH ELLOHIEM: And yeah, and  
6 they're probably you know, really careful about  
7 who they pick on their, you know, parent  
8 council anyway.

9 COUNCIL MEMBER BARRON: Well, we  
10 appreciate your having concern and compassion  
11 for a child who's having to respond to their  
12 biological needs and being stressed in that  
13 kind of situation that you addressed that. We  
14 do appreciate your being involved, and we  
15 certainly are going to look into the fact of  
16 banning and punishing parents--

17 ELIZABETH ELLOHIEM: [interposing]  
18 Yeah.

19 COUNCIL MEMBER BARRON: as well as  
20 students, that they have that kind of audacity  
21 to do that.

22 ELIZABETH ELLOHIEM: They do, and  
23 just really quickly before I go, I just want to  
24 say that there several--there are actually  
25 lists of banned parents that have been given to

1  
2 security guards in order to stop them at the  
3 door. So it's not just myself in this list.  
4 Sometimes people come off. Sometime they're on,  
5 but the reason why I wasn't allowed back into  
6 the school is because I did not verbatim say  
7 I'm sorry for doing--for taking the little girl  
8 to the restroom, and again, there's been--  
9 there's a lot of parents that are going through  
10 this and there's a lot of other issues that I  
11 just don't have time to get into right now, but  
12 they are very, very serious. Even getting other  
13 security, that is not school safety to handle  
14 children and to physically, you know, touch  
15 these children and do things to them that most  
16 parents wouldn't even do to their kids. So  
17 that's something that needs to be looked into  
18 as well. They really need some more oversight  
19 and structure, especially Eva Moskowitz and her  
20 Success Academy because she is the horse that  
21 is heading everything at this point.

22 COUNCIL MEMBER BARRON: Okay. We  
23 thank you for your testimony.

24 ELIZABETH ELLOHIEM: Thank you so  
25 much.



1  
2 COUNCIL MEMBER BARRON: We will be  
3 having subsequent hearings, so look out for  
4 them and perhaps you'll be able to encourage  
5 more parents to come and participate. Thank you  
6 so much.

7 ELIZABETH ELLOHIEM: Thank you so  
8 much. You have a good day.

9 CHAIRPERSON DROMM: I did pretty good  
10 without a bathroom break, right? So thank you  
11 for bearing with me. That's right, if I didn't  
12 have the--I didn't bring the pass, so I guess I  
13 have to wear the orange shirt for a longer  
14 period of time now. Okay, we're going to call  
15 up Barbara Martinez from Uncommon Schools. She  
16 had to leave, okay. Guess it's not that  
17 important. Explore Charter School, Cheryl Davis  
18 [sp?], thank you. She's here. Morty Ballen,  
19 Explore Schools. Okay. Ronald Chaluisan, New  
20 Visions for Public Schools. Aviva Buechler and  
21 Charles Taylor from Harlem Link Charter School,  
22 and Brooklyn Irvin Garden Charter School,  
23 Miriam Nunberg, thank you. Alright, very good.  
24 Would you please raise your right hand and let  
25 me ask you, do you swear or affirm to tell the

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

truth, the whole truth and nothing but the truth and to respond honestly to Council Member questions? Okay, thank you. And where should we start? Okay, over here, yeah. Yeah, just push the button. Is it on, the red light? Okay.

MORTY BALLEEN: Good afternoon. Thank you for the Council Members and for the Chair for this committee. My name is Morty Ballen. I'm the CEO and Founder of Explore Schools. We're a network of four schools serving 1,600 students in Central Brooklyn, District 17 and 18, and I came here to testify today for a couple of reasons. One is I'm in favor of data transparency, and I very much want to be part of our city's efforts to have a system serving 1.1 million students with equity and excellence. As a member of the educational sector in New York City, doing this work for over 12 years I feel responsible to be part of the system to ensure our parents have options and our students have the outstanding public education they deserve. Before starting Explore I was a teacher for six years. I taught in

1 Louisiana, New York City and South Africa, and  
2 I opened Explore in 2002 so that we would serve  
3 kids and families from age five right up until  
4 age 13 to serve kids and families from  
5 kindergarten through eighth grade, and I opened  
6 it as a charter school even though I had a  
7 principal's license because I very much wanted  
8 to have the freedoms around human capital and  
9 resource allocation and because I was a  
10 traditional public school teacher, I wanted to  
11 serve exactly the same students as I served  
12 when I was teaching in the traditional district  
13 school. So again, it's these twin ideas of  
14 equity, serving all students and excellence,  
15 ensuring our students have an outstanding  
16 public education that compelled me to open the  
17 Explore Charter School in 2002. We graduated  
18 our first group of eighth graders in 2008.  
19 Those students are now in their sophomore year,  
20 just completing their sophomore year of  
21 college. I'm not reading from my testimony,  
22 just FYI. I don't know if you're trying to  
23 find.  
24

1  
2 CHAIRPERSON DROMM: I'm just looking  
3 at it as you speak.

4 MORTY BALLEEN: Yep. And after we  
5 graduated that group of students in 2008, again  
6 I wanted to be part of the solution to our  
7 city's education system, so we worked with the  
8 Department of Ed, and we learned from them when  
9 there were schools that were closed for poor  
10 performance, often those families didn't have  
11 an outstanding option in their neighborhood. So  
12 we used our charter to open schools two, three  
13 and four so that we could serve those families  
14 who didn't have those educational options when  
15 their school was closed. We prioritized those  
16 families in our lottery. That means serving  
17 exactly the same kids as a traditional district  
18 schools. So as of now, among our 1,600  
19 students, 80 percent are eligible for free or  
20 reduced meals, 17 percent of our students have  
21 special needs, which is the same percentage as  
22 the district. Three percent of our students  
23 are English language learners, and two of our  
24 schools which we're very proud of have a 12 to  
25 one to one setting. These are restrictive

1 special education setting, and in the district  
2 only 29 schools out of 75 have that same  
3 setting. So often when I'm thinking about our  
4 schools and serving kids with high needs, I ask  
5 why aren't more schools doing the same,  
6 regardless if they're charter or traditional  
7 district. And the last piece that I want to  
8 speak to is that of collaboration. We're proud  
9 of the collaboration that we do. Chancellor  
10 Farina visited our school three weeks ago  
11 specifically because of the respect that  
12 characterize our relationship with her co-  
13 located school. In fact, the Today Show and  
14 Carson Daly is planning an urban garden where  
15 our school principal and the school principal  
16 of the co-located school are working together  
17 on that. Whenever we sought to open new schools  
18 in Central Brooklyn--two more seconds--we  
19 sought the input of then Councilwoman James,  
20 Assemblyman Mosely, Assemblyman Jefferies when  
21 he was Assemblyman, Assemblyman Kamara [sp?]  
22 all to say that community leaders matter to us  
23 and we sought out their feedback and solicited  
24 their input. And finally as a school leader I  
25

1  
2 feel compelled to support school leaders,  
3 whether they're district leaders or charter  
4 leaders. We've held three leadership round  
5 tables to focus on school leadership where 65  
6 school leaders, again, who cares if they're  
7 charter? Who cares if they're traditional  
8 leaders? We all are working to support our  
9 city's kids. We speak about leadership and we  
10 support each other. The last thing because I  
11 think I'll be asked about it. In 12/13, my  
12 comp package that year was 208,000; 208,000 was  
13 the base. I was eligible for a bonus and  
14 received a 10,000 bonus. I don't have a  
15 retirement because we're not part of that  
16 system and you know, I'm the leader of four  
17 schools, a principal of a high school in New  
18 York City with the same experience as I earns  
19 175,000 including a bonus. So while we're a  
20 little bit above, I also know that our board  
21 has prioritized the work that I've been doing  
22 over the last 12 years to grow our network and  
23 our schools.

24 CHAIRPERSON DROMM: Okay, thank you.  
25 Next please?

1  
2 MIRIAM NUNBERG: Good afternoon,  
3 Chairman Dromm and members of the Committee on  
4 Education. My name is Miriam Nunberg and I'm  
5 the founding Co-Executive Director of the year  
6 old community based Brooklyn Urban Garden  
7 Charter School, aka BUGS. Thank you for the  
8 opportunity to present testimony today.  
9 Although your colleague Brad Lander is not  
10 present, he has been tremendously supportive  
11 throughout the years of our school. I am a  
12 former special education teacher who then  
13 became a civil rights attorney for the US  
14 Department of Education, working for 14 years  
15 to enforce civil rights laws in public schools.  
16 These experiences placed a commitment to equity  
17 front and center in the design of BUGS. I wish  
18 to highlight for you what this commitment looks  
19 like at our school. BUGS mission is to provide  
20 a hands on interdisciplinary education to  
21 middle schoolers of all backgrounds and  
22 abilities with a focus on real world problem  
23 solving and the study of environmental  
24 sustainability. Equity defines our program as  
25 well as our grassroots history. BUGS was

1  
2 founded by local parents and educators, not any  
3 management network, who came together in a  
4 community effort to create a new middle school  
5 option in District 15 where 10-year-olds  
6 compete to be chosen by selective DOE schools  
7 with far too few sixth grade seats in a process  
8 that as a former civil rights attorney, I have  
9 to note results in a disproportionate number of  
10 white students being selected by the DOE  
11 schools. Equity starts at BUGS when we accept  
12 students via random and transparent lottery in  
13 which the only preference legally allowed is  
14 for district residents and siblings.  
15 Ironically, our lottery ranked my own son  
16 nearly last on the in-district wait list for  
17 BUGS next year. As a parent, however, I still  
18 find this process more fair than the selective  
19 schools where criteria like academic  
20 performance, auditions and interviews allow  
21 them to hand pick the desired student body. Our  
22 lottery means that at BUGS, children of new  
23 immigrants from Sunset Park and residents of  
24 the Red Hook Houses are welcomed alongside  
25 affluent students from Park Slope and alike.



1  
2 Our student body looks like all of Brooklyn and  
3 at 66 percent Latino and African-American, and  
4 16 percent white and six percent Asian. Twenty  
5 percent of our students receive special  
6 education services and approximately 50 percent  
7 qualify for free or reduced price lunch. At  
8 BUGS, these children from vastly different  
9 backgrounds work together and intentionally  
10 heterogeneous groups where they collaborate to  
11 solve hands-on problems such as designing  
12 budgeting for and planting our gardens and  
13 establishing composting and recycling systems  
14 in our building. Our students with disabilities  
15 are fully integrated into our program and are  
16 well served by experienced special education  
17 faculty, related service providers and our  
18 learning lab that provides additional  
19 instruction to students below grade level. BUGS  
20 also prioritizes equity and student discipline,  
21 which I know it's been very important to a lot  
22 of people throughout the day. During my Civil  
23 rights work, I encountered African-American and  
24 Latino students in public school districts,  
25 including New York City, suspended for minor

1  
2     infractions and potentially placed on the so-  
3     called school to prison pipeline. As a result,  
4     the BUGS discipline code is based on one  
5     developed by the ad--just a few more minutes--  
6     one developed by the advancement project, which  
7     is a national leader in equity and school  
8     discipline. Our code strictly limits  
9     suspensions and takes a restorative justice and  
10    skills building approach to responding to  
11    misbehavior. On a separate note, since we  
12    started the school to create additional middle  
13    school seats in District 15, we were committed  
14    to remaining there despite its notoriously  
15    difficult real estate situation and our very  
16    lean budget. DOE space was not an option, so we  
17    ended up renting at a high cost to our program  
18    from the Bishop Ford Catholic High School which  
19    suddenly announced its intent to close at the  
20    end of June. Although we have been assured that  
21    we will not have to move when the school  
22    closes, the situation only adds to our  
23    administrative burden and highlights the needs  
24    for a stable facility solution for charters. In  
25    concluding, I hope I have given you a flavor of

1  
2 the values that have guided us in the founding  
3 and growing of the Brooklyn Urban Garden  
4 Charter School, a truly grassroots project that  
5 serves a diverse population with a deep  
6 commitment to equity and sustainability and in  
7 all its facets. Thank you.

8 CHAIRPERSON DROMM: Thank you. Next  
9 please?

10 AVIVA BUECHLER: Hi, my name is  
11 Aviva Buechler, and I'm a kindergarten teacher  
12 at Harlem Link Charter School. I'm speaking on  
13 behalf of Harlem Link and my principal  
14 unfortunately couldn't be here today. He's  
15 leading a professional development session  
16 right now. Thank you for the opportunity to let  
17 me speak on behalf of my school. I'm a proud  
18 member of the staff at Harlem Link, which is a  
19 K to five public school, public charter school  
20 that links academics, values and community to  
21 graduate articulate scholars and active  
22 citizens who learn and serve in our community.  
23 Harlem Link sets a high expectation for our  
24 students, and we have a very strong belief in  
25 all of our students to achieve in their

1 learning. We have a strong curriculum that  
2 teachers are very much directly part of to  
3 create to align with Common Core standards, and  
4 Harlem Link is consistently re-evaluating our  
5 curriculum to ensure it meets the needs of all  
6 our students. We are data driven and Harlem  
7 Link consistently looks at our data to make  
8 sure that we are communicating with our  
9 students and their families about their  
10 academic performances. We have a co-teaching  
11 model where there are two lead teachers in  
12 every classroom to ensure that we have targeted  
13 small group instruction for all of our students  
14 and their needs. Our staff members are constant  
15 learners and we aim to provide the best support  
16 for our student needs. Our students are diverse  
17 and our students come from different  
18 backgrounds. To give you some specifics, we  
19 have 310 students currently enrolled at Harlem  
20 Link. Nineteen percent are special education,  
21 seven percent are English language learners, 80  
22 percent African-American, 19 percent Hispanic,  
23 one percent other. In this--in our school  
24 system we provide targeted help for all of our  
25

1 students and work very closely with their  
2 families to provide the best for our students.  
3 I am proud to be part of Harlem Link staff and  
4 I, at my school, have the ability to share my  
5 voice and opinions and feedback with the  
6 leadership team consistently. My degree of  
7 voice and flexibility isn't always available in  
8 a district school, but Harlem Link tries to  
9 take a democratic spirit to every major  
10 decision for our school. Specifically, in terms  
11 of our board, I'm here to say that our school's  
12 board is an open board. We have meetings that  
13 are open to the public, and my principal  
14 specifically asked me to mention that our next  
15 board meeting is on May 28<sup>th</sup> and we're more  
16 than happy and glad to host any committee  
17 members to join us where we will actually be  
18 discussing the next budget for the upcoming  
19 school year and we're more than happy to share  
20 all that information with you there, and it's  
21 publicly available. As a follow-up to the  
22 board, specifically our school as well works in  
23 a building council with other schools in the  
24 district. We have specifically two district  
25

1 public schools, one other charter school and  
2 one district 75 school. In this forum, our  
3 school has a strong collaboration with these  
4 schools, specifically we have after school  
5 programs that work together with PS 208's after  
6 school program on several occasions. We teach  
7 them about cabwera [sp?]. They teach us about  
8 rugby. It's very effective and a lot of fun for  
9 our kids, and we've also been working with P--  
10 with our District 75 school and PS 208 on a  
11 peer mentoring program where students are  
12 interacting and engaging on a consistent basis  
13 and the kids have an amazing time and learning  
14 experiences together. One last comment. Harlem  
15 Link was founded to provide choice for families  
16 in our community, and we continue to work hard  
17 to ensure that our students have these strong  
18 educational experiences. I'm here to answer any  
19 questions, but again, I really highly recommend  
20 you coming to our next board meeting to really  
21 hear more about the work we're doing with our  
22 students with their families to ensure that the  
23 Committee is well aware of the incredible  
24

1  
2 successes and the strives that we make to re-  
3 evaluate ourselves each day.

4 CHAIRPERSON DROMM: Okay. Thank you.  
5 Next, please?

6 CHERYL DAVIS: Hi, good afternoon. My  
7 name is Cheryl Davis, and I'm a former charter  
8 school parent. My search for a school to enroll  
9 my daughter began with my local school  
10 district. The school I was interested in, which  
11 was across the street, I surprisingly found out  
12 was not actually my zone school. After  
13 submitting various letters and receiving  
14 rejection notices, I went to my zone school for  
15 a visit. The school that had large class sizes  
16 seemed a bit unruly and it was in the process  
17 of having a new principal. These were not good  
18 signs. We, my husband and my daughter, went for  
19 an interview at a Catholic school in my area  
20 that turned into an emotional disaster. It  
21 seemed that they were not very interested in a  
22 child they would have to pay attention to,  
23 special attention to. Despite the tuition  
24 costs, they politely denied her admittance. So  
25 what should I do? My oldest daughter told me

1  
2 of a new school opening, a charter school named  
3 Explore. I went there to the meetings, applied  
4 and my daughter was one of the first 168  
5 scholars enrolled. My second school-aged child  
6 followed two years later. That was 11 years  
7 ago. Both of my children now attend district  
8 high school and are performing to the highest  
9 expectations of their ability. You see, one has  
10 a learning disability, and the other is quite  
11 gifted. Both were nurtured and educated at  
12 Explore charter school with the same commitment  
13 to excellence they give each student. The  
14 school's close knit family structure allowed me  
15 to have a voice in my children's development. I  
16 was a member of the PTA and also on the Board  
17 of Trustees as a parent leader. We've had  
18 disagreements, but there was always a  
19 fundamental desire to resolve an issue in the  
20 best interest of the children. I am truly--I  
21 truly regret that an education committee such  
22 as this was not established to inquire,  
23 investigate the decline and deterioration of  
24 urban schools which birthed the formation of  
25 charter school module. I am intrigued that the



1  
2 term separate and unequal is being applied to  
3 charter schools who co-locate with district  
4 schools when the predominately population is  
5 black and brown children when the practice of  
6 separate and unequal festered and manifested in  
7 Ermid [sic] versus Upper East Side and affluent  
8 neighborhoods for decades. I believe in  
9 transparency and pray that policy can be  
10 established that allow all public schools to be  
11 held accountable to all children, including our  
12 special ed and ELL students for resources, art,  
13 music, nutritional meals and rich, inclusive  
14 curriculum. I challenge parents to harness  
15 their power and use their power to research for  
16 themselves, to advocate and demand resources  
17 and hold both charters and district schools  
18 accountable in educating our children. Thank  
19 you.

20 CHAIRPERSON DROMM: Thank you. Next,  
21 please?

22 MELANIE LEWIS: I wholly agree with  
23 my former parent here. My name is Melanie  
24 Lewis. I have two children that extend Exceed  
25 Explore Charter School in Crown Heights

1  
2 Brooklyn. I'd actually always told my children  
3 I wanted them to exceed expectations, so when I  
4 heard this new school was coming to the  
5 neighborhood with the name Exceed Charter  
6 School, I said, "Okay, there's power in the  
7 name. So we're going to go with them." You  
8 know, I really appreciate it and I was grateful  
9 for this choice of a new school environment in  
10 an existing network. So I did research about  
11 this network before placing my children in a  
12 particular school. I support the mission for  
13 them to help children to succeed in a college  
14 preparatory high school, and I'm today, you  
15 know, I'm grateful that my children are  
16 exhibiting the potential that I always believed  
17 they had. So that's a blessing as a parent to  
18 know that your children have the potential and  
19 place them in an environment where they did,  
20 you know, did go ahead to succeed. So I  
21 appreciate that and I see that, and so that is  
22 a blessing. So our co-location is really  
23 respectful and friendly. I'm in the school very  
24 often. You know, I came out of a district  
25 school, so I pay close attention, and so I

1  
2 really appreciate that. Our PTA's have actually  
3 partnered which is a big deal, you know. You  
4 know, when you set the stage in a co-location  
5 where there is friendliness and there is  
6 communication, you are able to get things done.  
7 It's, you know, and so we're looking forward to  
8 a really great outdoor movie night that we're  
9 having in June and the community's invited. And  
10 so, you know, I just encourage people to  
11 collaborate, you know. When two people touch  
12 and agree and come together and have a meeting  
13 and have discussions, you can get things  
14 together, you know. So a negative plus a  
15 negative is a negative. A positive plus a  
16 positive is only be greater if the positive is  
17 greater. So let's work together so we can get  
18 things done for our district and charter  
19 schools. Thank you.

20 CHAIRPERSON DROMM: Thank you. Next,  
21 please?

22 RONALD CHALUISAN: I'm just going to  
23 flip over.

24 CHAIRPERSON DROMM: Go right ahead.  
25

1  
2 RONALD CHALUISAN: Good afternoon,  
3 Chairman Dromm and Council Member Barron.  
4 Sorry.

5 CHAIRPERSON DROMM: It's getting  
6 late.

7 RONALD CHALUISAN: I was facing the  
8 other way. My name is Ronald Chaluisan I am the  
9 Vice President of Charter Schools at New  
10 Visions for Public Schools. Thank you for the  
11 opportunity this afternoon to testify in  
12 support of Intro Number 12. I'm going to read a  
13 modified version of my prepared statement. I  
14 bring over 30 years of experience as an  
15 educator to this work, 15 of those years here  
16 in New York City, first as a teacher at the New  
17 York City Lab School, and later as the founding  
18 Principal of the New York City Museum School,  
19 prior to joining New Visions in 2002 as the  
20 Director of Small Schools. Beginning in 2011,  
21 New Visions embarked on a new effort to create  
22 charter high schools serving low income  
23 children in New York City. Our goal is not to  
24 supplant district schools, but to use the  
25 opportunity created by charter law, combined

1 with accountability for school operations and  
2 student outcomes to consolidate our  
3 organizational knowledge around school  
4 improvement and to innovate more deeply across  
5 the system. Currently, New Visions supports 81  
6 public schools, six of which are charter high  
7 schools. We're a member of the Coalition for  
8 Community Charter Schools and we strongly  
9 support and participate in the important work  
10 that this coalition of schools is doing around  
11 four major areas, collaboration, accessibility,  
12 adaptability and transparent accountability. In  
13 the area of collaboration we are a partnership  
14 support organization that work with 75 district  
15 high schools across the city. We collaborate  
16 with DOE and charter schools in the areas of  
17 curriculum development, leadership coaching,  
18 methods of supporting professional growth for  
19 teachers, programming students for success,  
20 teacher certification and restorative justice  
21 programs for school's discipline policies. We  
22 partner with the UFT. Three of our schools are  
23 unionized, two of which have working contracts,  
24 one which in process. We also collaborate with  
25

1  
2 arts organizations across the city, our major  
3 partner being Lincoln Center. In the second  
4 area, accessibility, we believe very deeply in  
5 broad outreach across the districts. We're very  
6 proud to say that we serve 17 percent of our  
7 students who have special needs with IEPs.  
8 Eleven percent of our students who are English  
9 language learners. Fifty-five percent of the  
10 students who on their eighth grade exams were  
11 classified as low as third across the city, and  
12 75 percent of our students were eligible for  
13 free and reduced lunch. The area of  
14 adaptability, we believe very strongly that  
15 schools that are successful are schools that  
16 meet the needs of the students that come to  
17 them, not students--not schools that select  
18 students in order to be successful. Finally, we  
19 believe in transparent accountability. I'll  
20 just be one more minute. We firmly support the  
21 proposed amendment to require a DOE reporting  
22 on student demographics at co-located charter  
23 school. We believe that access to accurate real  
24 time data on all schools, both district and  
25 charter only makes us stronger as a district

1  
2 and enables us to identify those schools that  
3 are making significant progress with high needs  
4 student populations. New Visions has long  
5 helped its partner schools build capacity to  
6 make data informed decisions. We'd welcome the  
7 opportunity to share our knowledge in this area  
8 with both our district and charter colleagues  
9 and to demonstrate the positive collaborations  
10 that can be forged between district and charter  
11 schools in the city. Simply having data is not  
12 sufficient. It is the implementation of this  
13 knowledge carried out in best practices that  
14 will allow the department, its partners,  
15 administrators and teachers to improve the  
16 quality of education for all of the students  
17 across the city. On behalf of New Visions for  
18 public schools, I urge you to support Intro  
19 Number 12. Once again, thank you for the  
20 opportunity to testify today and we'll be happy  
21 to take any questions.

22 CHAIRPERSON DROMM: Okay. Thank you.  
23 First let me just start of by saying that Mr.  
24 Charlson [sic], sorry, Chalusian, Chalusian--

25 RONALD CHALUSIAN: There you go.

1  
2 CHAIRPERSON DROMM: Chalusian, thank  
3 you for coming in and for testifying. I am  
4 aware of the New Vision's efforts. I do  
5 appreciate the fact that you are unionized. If  
6 you were here earlier, I think I described why  
7 it's so important to me and to other educators  
8 across the city to have those types of  
9 protections. So I would like to thank you for  
10 that. I also want to say I have been impressed  
11 today by the Coalition of Community Charter  
12 Schools and the transparency by which the  
13 organizations that have come before us to  
14 testify have shown in the information that they  
15 have provided here to this committee. And I  
16 have to say that I am very disappointed in the  
17 others that did not, and it's not--I think  
18 we're talking to the converted here to a  
19 certain extent, you know, that you know, you  
20 already are being forthcoming with information,  
21 and I certainly think that that's true,  
22 particularly with New Visions. I'm sorry, we  
23 were a little confused about the names and  
24 that's why were rushing with the papers. This

25



1  
2 young woman here who was the teacher in the  
3 school. Yes, and what's your name again?

4 AVIVA BUECHLER: Aviva Buechler.

5 CHAIRPERSON DROMM: Okay. So did you  
6 say there were two teachers in every one of  
7 your classrooms?

8 AVIVA BUECHLER: There are two lead  
9 teachers in every classroom.

10 CHAIRPERSON DROMM: Two lead  
11 teachers?

12 AVIVA BUECHLER: Uh-hm.

13 CHAIRPERSON DROMM: How many  
14 students?

15 AVIVA BUECHLER: Approximately 28,  
16 27.

17 CHAIRPERSON DROMM: That's a big  
18 advantage, really that we don't have in the  
19 public school system. And so part, I think, of  
20 what happens to us when we're in the discussion  
21 that we have is charters versus, and I don't  
22 even like to use the word versus, you know,  
23 here, is that we don't have those resources in  
24 the public schools. And I think it was our  
25 parent over here who spoke about this committee

1  
2 and the work that we're doing in terms of the  
3 overall urban school system and public schools  
4 in urban areas like this. That has been the  
5 main focus of this committee, certainly for the  
6 four years before I was the Chairperson. That's  
7 all we have power over actually is over the  
8 Department of Ed here, and we also try to have  
9 transparency and to shine the light on what the  
10 DOE is doing. That is our main focus. Today, we  
11 focused on the charter schools to the extent  
12 that those who are not DOE authorized charter  
13 schools were willing to come in. I appreciate  
14 that, but also my right as a Chair of this  
15 Committee is to focus just on those DOE schools  
16 and in the DOE in general. So I just wanted to  
17 make that maybe clear to you as well. So I  
18 also wanted to just go back to the testimony by  
19 Mr. Ballen, as well. And thank you for being  
20 forthcoming with your salary. I appreciate  
21 that. It's still higher than even what the  
22 Chancellor is making to be honest with you.  
23 Although there are concerns about the pension  
24 packages that city educators, city employed  
25 educators make, and I hear that. I do just

1  
2 want to also point out about the option in the  
3 neighborhood that you feel that you offered. So  
4 and that's a point that I think the committee  
5 is trying to make. When charter schools open  
6 and I've spoken to this, about this with Stacy  
7 Gauthier as well from Renaissance Charter  
8 School, it doesn't necessarily deal with an  
9 issue in the immediate community, because the  
10 charter school is open to the whole district,  
11 and the selection process for who gets in there  
12 is based on the District wide lottery, am I  
13 right about that?

14 MORTY BALLEEN: So, I think two  
15 thought, first--three thoughts. I'm not part of  
16 the Coalition, just wanted to--

17 CHAIRPERSON DROMM: [interposing] No,  
18 I understand.

19 MORTY BALLEEN: clear. I'm hear  
20 representing Explore, that's number one. Number  
21 two is I don't--I thought the Chancellor said  
22 it was 250, so I think that salary that I named  
23 is below the Chancellor.

24 CHAIRPERSON DROMM: No, the  
25 Chancellor's making, I think, 195.

1  
2 MORTY BALLEEN: Okay. Third, you  
3 know, the approach that we've taken at Explore  
4 for the last 12 years, schools are a product of  
5 a community, parents and kids and teachers  
6 working together to a common goal, and when we  
7 saw parents in a specific school based  
8 community lose what was dear to them, their  
9 local school, and having no option, we said  
10 instead of just starting a new charter school  
11 just for kicks, those parents need something  
12 and that was a partnership. That was a  
13 partnership with local eclectics, the New York  
14 City Department of Ed, and the parents  
15 themselves. So you're right, I mean, we did  
16 something unique and different. We made a  
17 preference for those parents because they lost  
18 something in their community. So--

19 CHAIRPERSON DROMM: [interposing] So  
20 for people that want to get into the charter  
21 schools, their parents have to be fairly aware  
22 of the process that's necessary to get into  
23 those charter schools.

24 MORTY BALLEEN: So we--

25

1  
2 CHAIRPERSON DROMM: [interposing] And  
3 that's part of the issue here, is that often  
4 times then the public schools are for lack of  
5 better words, left with parents who may not  
6 have that knowledge about how to manipulate the  
7 system to get their kids into the charter  
8 schools, number one, and that then becomes an  
9 issue, and then the whole issue of choice, and  
10 this is something that I've spoken to the  
11 Department about for the years that I've been  
12 on the board. They cannot abrogate their  
13 responsibility to improve the local regularly  
14 funded public school, and it seems to us and  
15 many of the members of this committee would  
16 agree with me, I'm sure, that by opening large  
17 numbers of charter schools they are abrogating  
18 their responsibility to improve the local  
19 public schools.

20 MORTY BALLEEN: I have a solution and  
21 a recommendation. Our history in those schools,  
22 we literally got a map of the catchment area  
23 and my team and I personally knocked on every  
24 parents door to say this is an option in your  
25 community, we want you to join us. I agree with

1  
2 you that access, without access it's an issue.  
3 The recommendation, if we look at cities like  
4 Denver, New Orleans, Newark, they have a  
5 universal enrollment system. So district  
6 schools, charter schools, they're all on the  
7 sheet that parents pick from. So A, it  
8 inoculates the charters from picking certain  
9 parents, and then they have the marketing  
10 machine of the district so that every parent  
11 gets every option. Who cares if it's a  
12 district? Who cares if it's a charter? These  
13 are the schools in your community, and then  
14 parents have a way to choose. I've talked to  
15 Deputy Mayor Beury about it. I've talked to the  
16 Council about it. A universal enrollment system  
17 is a solve.

18 CHAIRPERSON DROMM: So one of the  
19 issues moving forward, then, is for me, will  
20 every school become a charter school? So  
21 without those additional resources, without you  
22 know, improvement in the public schools, then--

23 MIRIAM NUNBERG: Can I just add  
24 something to the point you were making  
25 previously about the parents who have to seek

1  
2 out charter schools. I really want to stress  
3 that particularly in our situation as a middle  
4 school in a district of choice where the DOE  
5 process is unbelievably burdensome on parents  
6 of fifth grade students. The process of apply,  
7 I cannot tell you how many parents have said to  
8 me, "I wish all schools were simple to as BUGS,  
9 because the process of applying to middle  
10 school and then high schools is a full time  
11 job." And so even though, yes, parents have to  
12 be aware of the fact that there is a lottery to  
13 apply to, it is so much simpler and more  
14 straight forward than the charter choice  
15 process. So, I just--

16 CHAIRPERSON DROMM: [interposing] I'm  
17 not even going to actually try to argue against  
18 that, because the process to get into the  
19 schools is very, very difficult, but I will  
20 argue the idea of choice, and if it's really a  
21 choice, and that's what I'm trying to get at.  
22 We say that public school parents have choices,  
23 but often times they don't, and when we make a  
24 competitive model for our schools rather than  
25 collaborative there are educational questions

1  
2 that surround that as well, and that is really  
3 at the heart of my concern with charter  
4 schools, because it's a false option to say  
5 that there's really a choice.

6 MIRIAM NUNBERG: I'm sorry, but I  
7 have to ask you a question, which is how is  
8 that less of a choice than, or less fair?

9 CHAIRPERSON DROMM: Because  
10 ultimately people that don't know about the  
11 choices that they can make, wind up in a public  
12 school and you have only children who are lower  
13 performers by virtue of whatever reason it is  
14 in the public school, the local public school.

15 MORTY BALLEEN: But that's what I  
16 think we should solve. I mean, I can't--I'm not  
17 going to speak for Ms. Davis and Ms. Lewis, but  
18 if you're telling them that they can't have a  
19 choice where they're going to send their child,  
20 I'm not going to speak for--

21 CHAIRPERSON DROMM: [interposing] I'm  
22 not selling--I'm not telling them that. I'm  
23 just saying that it's not a real choice. When  
24 the DOE and Charter operators say that it's a  
25 choice, it's not a real choice. I believe that



1  
2 every public school should be a good public  
3 school, and that's what we should be fighting  
4 for.

5           RONALD CHALUISAN: So, Chairman  
6 Dromm, I really do want to agree and I just  
7 have to say that my career here in New York  
8 City, maybe it was luck when I got back to New  
9 York, but I did work with a group of really  
10 strong colleagues under the leadership of  
11 Superintendent Alvarado in the late 80's and  
12 early 90's, and I think the push to make very  
13 good strong schools that offer different  
14 approaches to education in order to match the  
15 needs of students is a critical agenda item.  
16 And so having worked over 30 years with many,  
17 many students who learn in many, many different  
18 ways, it's important. I alluded to adaptability  
19 as one of the key issues that I think is  
20 important, but the notion that students need to  
21 find places that support the type of learning  
22 that they need in order to be successful, I  
23 think we need to fighting for schools that  
24 provide high--you're point early in the  
25 session, whether it's through constructivist

1  
2 and construction or it is through career and  
3 technical, high quality career and technical  
4 education or it is a really rigorous kind of  
5 sit down and Latin type, right? There are very  
6 different types of model, different types of  
7 educational models, the question is how do we  
8 support all of those at high levels of rigor so  
9 families can actually choose for the match with  
10 their child, and if we're not really fighting  
11 that fight, the whole pitting of one against  
12 the other--I worked in--I've seen bad district  
13 schools, I've seen bad charter schools, neither  
14 of those should be available. I think we've  
15 seen amazing public district schools and  
16 amazing public charter schools, and there  
17 should be nothing standing in their way.

18 CHAIRPERSON DROMM: Unfortunately,  
19 politicians have gotten a hold of this. I  
20 don't--I do consider myself to be a politician,  
21 but I consider myself first and foremost to be  
22 an educator, actually, and when the issue gets  
23 politicized as it did up in Albany a few weeks  
24 ago, then you have all the other dynamics of  
25 things that go on, and you have an unequal

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

system which then hurts and harms our public school students--

CHERYL DAVIS: I would just--

CHAIRPERSON DROMM: And so I'm very glad to see that people are making a distinction with this coalition for community charter schools that somewhat separates themselves from some of the shenanigans and the people that perform these shenanigans up in Albany, and I'm specifically speaking about Eva and some of these other charter schools as well, and I hope that you stick to it. Will any of you there on the panel today--

CHERYL DAVIS: [interposing] But, excuse me.

CHAIRPERSON DROMM: Let me just finish my thought and then I'll come back to you. Do you agree about the orange shirt today? Are you all willing to condemn the Coney Island Prep School for this code of behavior?

CHERYL DAVIS: There's two sides to every story.

MORTY BALLEEN: Most, when I was thinking about your question earlier, the

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

research and data I'd want is what is the parent and the child think? They made a choice to be part of that school community. If they are saying I need to--

CHAIRPERSON DROMM: [interposing]

Well, I--

MORTY BALLEEN: [interposing] That--

CHAIRPERSON DROMM: So you actually support having a child wear an orange shirt around the school?

MORTY BALLEEN: I support the contract between the parent and the--

CHAIRPERSON DROMM: [interposing] Would you want that for your children?

MORTY BALLEEN: We don't do that at Explore.

CHAIRPERSON DROMM: What?

MORTY BALLEEN: We don't do that at Explore.

CHAIRPERSON DROMM: No, but do you want that for your own--I don't know if you have children, maybe you don't. Alright, so let's just say for your school.

1  
2 MORTY BALLEEN: We've made that  
3 choice not to do that for our school, but to--

4 CHAIRPERSON DROMM: [interposing] But  
5 are you willing to come out and speak against  
6 the policies that are bad in charter schools?

7 MORTY BALLEEN: If parents know that  
8 that's policy, and they--because the code of  
9 conduct is posted, and they've signed up for  
10 that, that is an exercise of choice. And I  
11 don't--

12 CHAIRPERSON DROMM: [interposing] I  
13 hear many stories of parents who have come into  
14 today that had no idea, and I can't believe  
15 that you would support a policy like this. It's  
16 offensive to me as an educator actually that  
17 you would for the dignity of our children.

18 MORTY BALLEEN: I'm sorry, you're not  
19 hearing--

20 CHAIRPERSON DROMM: [interposing]  
21 Would the other--

22 MORTY BALLEEN: [interposing] You're  
23 not hearing what I'm saying.

24

25

1  
2 CHAIRPERSON DROMM: Well, alright.  
3 I'd like to hear from the other people at this  
4 point.

5 CHERYL DAVIS: Well, I just wanted  
6 to make a point on your statement and your  
7 perception of what choice is in your opinion,  
8 and I can understand where you're coming from  
9 as an educator and as a member of the  
10 committee. However for me as a parent with my  
11 story, I had--this was a choice for me. It was  
12 a choice that came from out of nowhere, because  
13 I'm talking 2002 when Explore first opened, and  
14 this was a viable choice for me and my family,  
15 and had it not been there, I don't know if my  
16 children would have succeeded as well as they  
17 have without this--

18 CHAIRPERSON DROMM: [interposing] And  
19 that's where we have to work with parents,  
20 because ultimately--

21 CHERYL DAVIS: [interposing] Now, I  
22 am also--

23 CHAIRPERSON DROMM: [interposing] I  
24 believe that--

1  
2 CHERYL DAVIS: [interposing] a  
3 parent--

4 CHAIRPERSON DROMM: [interposing]  
5 Excuse me, but ulti--

6 CHERYL DAVIS: [interposing]  
7 advocate for education.

8 CHAIRPERSON DROMM: Excuse me.  
9 Excuse me. But ultimately, I believe that you  
10 really had no choice.

11 CHERYL DAVIS: Well, I understand  
12 your perception of that.

13 CHAIRPERSON DROMM: Because you  
14 didn't have a public school that was viable for  
15 you to go to. So that's the point I'm trying to  
16 make, and that's why--

17 CHERYL DAVIS: [interposing] Had it  
18 not been for Explore--

19 CHAIRPERSON DROMM: [interposing] we  
20 have to have good public--

21 CHERYL DAVIS: [interposing] I would  
22 not have had any choice. Had it not been for  
23 Explore--

24 CHAIRPERSON DROMM: [interposing] I'm  
25 sorry?

1  
2           CHERYL DAVIS: Had it not been for  
3 Explore Charter School I would not have had a  
4 choice.

5           CHAIRPERSON DROMM: So we're actually  
6 in agreement.

7           CHERYL DAVIS: [interposing]  
8 However, I am an advocate of education, and I  
9 do vehemently believe that all schools should  
10 be good, and this is why I said in my statement  
11 that had it not been for the decline of the  
12 public education school system in the first  
13 place, maybe we wouldn't even be sitting here  
14 having this conversation. But having said that,  
15 if it had not been for Explore charter school I  
16 would not have had a choice, I would have had  
17 to go to my district school which was not  
18 capable of handling my child's needs at that  
19 time.

20           MELANIE LEWIS: Melanie Lewis again.  
21 I'm just hoping that more parents can be  
22 proactive so that we don't get in positions  
23 where we're just reactive to situations, and  
24 that goes for our educational system. We seem  
25 to be reactive. Before charter schools even



1  
2 came to existence we had a problem in our  
3 district schools that has not been resolved and  
4 that's the area that we do need to continue to  
5 work on, and if we just take the best practices  
6 and implement them into our existing district  
7 schools, we can see more positive results.

8 CHAIRPERSON DROMM: I agree, and I  
9 think that's what has not happened, and I think  
10 we need to make sure that that does happen.  
11 Where that does happen it's been successful. I  
12 just want to go to--

13 MELANIE LEWIS: [interposing] Thank  
14 you.

15 CHAIRPERSON DROMM: Ms. Nunberg. Your  
16 opinion on orange shirts?

17 MIRIAM NUNBERG: Well, I would have  
18 to go back to my experience working for 14  
19 years as an attorney in the US Department of  
20 Education where I would hear all sorts of  
21 claims about all sorts of horrible practices  
22 that I would immediately, being a good bleeding  
23 hard, condemn. And then I would do a lot of  
24 research into finding out the whole story, so I  
25 can say that at BUGS we do not have a policy

1  
2 like that, and our policy is much more about,  
3 as I said in my testimony, restorative justice  
4 and trying to have students work together in  
5 things like peer mediation. So I would want to  
6 really understand where that policy came from  
7 before I would condemn it. It does not sound  
8 like a choice I would make, however.

9 CHAIRPERSON DROMM: It's amazing that  
10 you don't--I read it. I told you where it came  
11 from.

12 RONALD CHALUISAN: I would say--

13 CHAIRPERSON DROMM: [interposing] And  
14 that you're unwilling to condemn that is not  
15 good as educators.

16 RONALD CHALUISAN: I would say as a  
17 statement of policy, I would really challenge  
18 that policy. I don't believe that exclusionary  
19 policies are good for students. Having said  
20 that, I do agree that there acts not policy  
21 that need to be investigated. People act,  
22 sometimes reactively, and you don't have the  
23 full story. So I'm making a differentiation  
24 between policy and acts. And I would say that  
25 having said that I would also want to look very

1  
2 closely at a practice that we do do regularly,  
3 which is suspensions, which also are  
4 exclusionary, and I think we need to think very  
5 deeply as a system what are the possibilities  
6 other than suspension, because that is a  
7 commonly used practice which is not questioned  
8 as often. So I would broaden your conversation  
9 to say what are the exclusionary policies that  
10 are placed upon on your people and how do we  
11 react differently to those in transition from  
12 the ones that we already accept onto things  
13 that are more restorative in nature.

14 CHAIRPERSON DROMM: Well, thank you.  
15 I hope that you will all take a look at that  
16 policy, it's online, and that you will come out  
17 strongly against it. Thank you very much. I'd  
18 like to ask Reverend Raymond Rivera to come up  
19 please from the Family Life Charter School.  
20 Sylvia Tyler from the Parents and Educators,  
21 come up. Brooke Parker from District 14. Bob  
22 HiDuck [sic]--HuDock, I'm sorry, from the  
23 Community Education Council 20, Nancy Northrop,  
24 Queens High School President's Council. Okay,  
25 and we have received additional testimony for

1  
2 the record from Uncommon Schools, from Public  
3 Prep, from Miriam Aristy-Farer, a parent at PS  
4 314 and CEC 6 President, Zakiyah Ansari from  
5 the Alliance for Quality Education, Mindy  
6 Rosier [sp?] from PS 811 and the Annenberg  
7 Institute, no name but from Annenberg Institute  
8 as well. Alright, Reverend Rivera, would you  
9 like to start? Thank you for your patience as  
10 well. I really appreciate staying here the  
11 whole time. Thank you very much.

12                   RAYMOND RIVERA: Thank you, Mr.  
13 Chairman for having this meeting. It's  
14 certainly one of the public discourse issues  
15 that is polarizing the city so I commend you  
16 for having this hearing. I'm going to just make  
17 a--read a brief paragraph and then I'm going to  
18 shorten my presentation. I'm going to try to  
19 stay within the three minutes, or maybe go a  
20 couple of minutes over if you allow me. My name  
21 is Reverend Raymond Rivera. I am President of  
22 the Latino Pastoral Action Center, as a pastor  
23 and a founder of Family Life Academy Charter  
24 Schools. Our first school started 12 years ago.  
25 We have a second one that's three years old, a

1  
2 third one opening up now in September, and we  
3 are a community-grown charter schools. That  
4 means we're organic to the community. We came  
5 out of the community base organization, and as  
6 an activist for 45 years in this city, I  
7 participated in the battle for community  
8 control of schools in the 60's that led to a  
9 citywide strike led by the United Federation of  
10 Teachers. During that time many parents,  
11 activists, and brave teachers crossed the  
12 picket lines to open the schools and continue  
13 to serve our children. When charter schools  
14 came to our state I saw it as the continuation  
15 of our struggle to achieve a community control  
16 of our schools. When charters started, I saw  
17 that it had the very things that we had fought  
18 for such as being able to hire our own  
19 teachers, being able to hire our own  
20 principals. It freed us from the Central  
21 Board's bureaucracy. It allowed us to have  
22 boards that reflected the ethnic composition of  
23 our students and parents. So when you hear the  
24 rhetorical statements here of parents and  
25 community, my board reflects the community. My

1  
2 PTA President and Vice President by charter  
3 have to be members of the Board. So parents at  
4 our charter schools are policy makers, and they  
5 are, along with our community businessman and  
6 other community leaders, the board of our  
7 school. So when we talk about this public  
8 accountability, there hasn't been public  
9 accountability since Mayoral control. We lost  
10 that in decentralization and all of these other  
11 configurations. While I respect their work,  
12 they really have been devoid of power and  
13 really have no meaningful power. Even under  
14 decentralization we didn't have community  
15 control of schools. So charters that are really  
16 community grown are the closest thing that we  
17 have to community control of schools, where the  
18 board members actually reflect the communities  
19 that they come from. A couple of more  
20 statements that in my opinion have been  
21 distorted here. Number one, charter schools  
22 have caused the tension within public schools  
23 because they are co-located in public school  
24 buildings. Let me declare for the record, my  
25 three schools are not co-located. We own our

1  
2 own buildings. So I'm not defending our own  
3 situation. The tension that exists in schools  
4 and co-located sites did not start with charter  
5 schools. This tension was highly evident during  
6 the small school movement, small academy  
7 movement and the restructuring of alternative  
8 schools. Most of the co-located schools are not  
9 charter schools, and there's tension when you  
10 restructure a school from a main school, all of  
11 those principals based on my experience as an  
12 activist always had tension fighting for space,  
13 and it had absolutely nothing to do with  
14 charter schools. So to perpetuate that myth  
15 that all tension started with charter schools,  
16 respectfully is almost an intentional lie. It's  
17 almost an intentional lie. There's been  
18 tensions always in schools. Number two, charter  
19 public schools are given more money than public  
20 schools, not true. The per pupil allocation for  
21 charter schools is less. Number three, all  
22 charter schools do not serve English language  
23 learners and children with special needs. My  
24 schools were founded, in the charter is says we  
25 are to serve English language learners and

1 special need children. That was the reason for  
2 a mission because the board of education  
3 consistently during my lifetime used English  
4 language learners as an escape saying that it  
5 was the fault of the families not the fault of  
6 the children. Number four, all charter schools  
7 are part of huge and wealthy management  
8 organizations. Not true. At least 50 charter  
9 schools are community based, struggling, and to  
10 add injury to insult, Mr. Chairman, and I hope  
11 you take our clause on this, the recent  
12 legislation passed by Governor Cuomo gives the  
13 most wealthy charter schools reimbursement for  
14 their space and left us out. The smaller  
15 schools that are paying in private space  
16 struggling that are community grown are not  
17 part of that legislation. Let me end by saying  
18 this, as an activist for 45 years I wish  
19 Council Member Barron was here because her  
20 Pastor Reverend Herb Daughtry [sp?] and her  
21 husband, I walked across the bridge in the  
22 fight for community control. I never thought I  
23 saw the day where we would romanticize the  
24 Board of Education. I hope that you as a  
25



1  
2 Chairman and as a committee chairman not only  
3 focus on us. We welcome your focus. We welcome  
4 for you to monitor us, to evaluate us. The six  
5 percent, we invite you to come into the  
6 schools, do what you have to do, but we hope  
7 you focus on the 94 percent that historically  
8 has faced our children. We hope you continue to  
9 focus on this discipline party, on this  
10 discipline policy that I disagree with, the  
11 orange shirt, but I hope you also focus on the  
12 education to prison pipeline that consistently  
13 our children that are being failed not by  
14 charter schools, but by the system as a whole  
15 wind up in prisons. I hope we focus on that, on  
16 how do we not only reform charter schools, but  
17 we reform the whole educational public system.  
18 That's where our focus should be. That's where  
19 I humbly ask you to work with this committee  
20 making all public schools accountable. I'm a  
21 union man too. Matter of fact, I stood next to  
22 you on demonstrations with minimum wage, living  
23 wage, stop and frisk, and I've always been pro-  
24 union, but I'm no pro-union to the extent of  
25 defending incompetent teachers. I'm not pro-

1  
2 union to the extent of consistently standing up  
3 for failing schools after all the resources  
4 have been given that historically fail our  
5 children. The price is too high. For 45 years  
6 we've tried to change 110 Livingston Street.  
7 We've tried to change Tweed [sic] now. It  
8 continues. We have to focus on the whole system  
9 on the 94 percent that historically has not  
10 serviced our children well. Thank you for  
11 listening to me.

12 CHAIRPERSON DROMM: Thank you.  
13 Reverend Rivera, I just want to take a little  
14 bit of issue with you in terms of defending  
15 incompetent teachers. We have seen all the  
16 focus over the last 12 years being on teachers,  
17 and I think what we need to do is to take the  
18 focus off of the teachers and put it squarely  
19 where it belongs, which is on the Department of  
20 Education. And the prior Administration is to  
21 be held accountable for what they did. This  
22 discipline policy was implemented, for example,  
23 during the prior Administration. No  
24 accountability, no oversight was exercised

25

1  
2 there. How these things can happen, I don't  
3 know.

4           RAYMOND RIVERA: And I disagree with  
5 the policy, Mr. Chairman. I totally support you  
6 on that, and let me say my wife, so she would  
7 kill me, so I don't want you to take my words  
8 out of context. My wife is a career teacher, a  
9 retired principal, she's been a life-long  
10 educator, so I'm totally support of teachers.  
11 What I'm talking about is incompetent teachers,  
12 is teachers that really have no calling for  
13 teachers. They don't have a vocation to teach.  
14 Those people after they've been supported by  
15 the district, after they get all the  
16 professional development that they need, after  
17 they're fully backed by you and the districts,  
18 if at the end of the line they still can't  
19 teach, they got to go. They have to find  
20 something else.

21           CHAIRPERSON DROMM: The problem is  
22 that they're--the problem is is that they're  
23 rarely afforded those opportunities, and  
24 there's a very small number--  
25

1  
2 RAYMOND RIVERA: [interposing] But I  
3 support those opportunities.

4 CHAIRPERSON DROMM: Yeah, but  
5 there's a very small number who fall into that  
6 category. I have to tell you, when I was  
7 teaching there maybe were three or four  
8 teachers in my 25 year career who did not  
9 belong in the classroom, and nobody wanted  
10 them, the principal--I was the UFT rep. The  
11 principal moved against them and I would often  
12 times work to try to counsel them out of the  
13 profession to say to them maybe it's time to  
14 move on, maybe you don't want to be here and  
15 come to some type of a solution. Even I as a  
16 teacher in the public school system didn't want  
17 the kids if I would get them from another class  
18 or from a teacher who was incompetent, because  
19 then it created problems for me when those kids  
20 came into my class.

21 RAYMOND RIVERA: So--

22 CHAIRPERSON DROMM: [interposing] So  
23 nobody has ever been pro incompetence, but  
24 unions by their nature do have to give  
25 everybody a opportunity to present their side

1  
2 of it as well, and so I think actually you and  
3 I--

4 RAYMOND RIVERA: [interposing] On  
5 the same page.

6 CHAIRPERSON DROMM: have many areas  
7 of common ground here as I do with some of the  
8 other members of the Coalition of Community  
9 Charter Schools as well. So thank you for your  
10 testimony.

11 RAYMOND RIVERA: Thank you for  
12 listening to me.

13 CHAIRPERSON DROMM: Let's go to our  
14 next witness.

15 RAYMOND RIVERA: Sorry I get  
16 passionate because I'm a preacher.

17 CHAIRPERSON DROMM: You are  
18 impassioned and I appreciate that. It's good.

19 SLYVIA TYLER: Well, this has been a  
20 wonderful day for me. I almost didn't come.  
21 Lots of times I almost didn't stay, but I want  
22 to preface--

23 CHAIRPERSON DROMM: [interposing] And  
24 can you just state your name for the record,  
25 so?

1  
2 SYLVIA TYLER: Okay, I will. Sylvia  
3 Tyler is my name. I'm--well, I'll read my  
4 statement, but I want to preface. I'm so happy  
5 that we have an educator chairing this  
6 committee, because I go back to all of that,  
7 the history that he's talking about and I was  
8 very actively trying to not get the state to  
9 not give the education system to the Mayor, to  
10 put him in charge. I lobbied the politicians,  
11 but that's another story. And another preface,  
12 I want to say, my educational training was  
13 mainly basically intrinsic values for learning  
14 was very significant and also we believed in  
15 positive reinforcement, not orange shirts,  
16 definitely not. Everything like that is very  
17 detrimental. It's not education. You're  
18 preparing them for prison in my view. Okay?  
19 Now, I'm going to read--

20 CHAIRPERSON DROMM: [interposing] And  
21 incidentally, it's the same color. And maybe  
22 that's not incidental. Maybe that's purpose.

23 SYLVIA TYLER: But that's strange,  
24 because that's my favorite color. My living  
25 room is orange. It really is my favorite, but

1  
2 it's a positive color, but anyway. My  
3 perspective: I have experienced the New York  
4 City public school system from various  
5 perspectives. I was a student. My children  
6 attended New York City public schools. My  
7 grandchildren also attended them. Finally, I  
8 was an elementary school teacher for 28 years.  
9 I taught 13 years of those years in District 10  
10 in the Bronx. Thank goodness I had real  
11 educational administrators to help me become a  
12 good teacher that I thought I was. And then 15  
13 years I taught in District Five in Harlem, and  
14 I retired in 2003. Missing my profession, I  
15 began to substitute the following year. Now  
16 these experiences have giving me the privilege  
17 to view many different schools firsthand.  
18 Overwhelmingly, these experiences have been  
19 positive. Overwhelming, I have to say.  
20 However, my impression of the impact of the  
21 Success Academy Charter School co-location and  
22 several schools where I've worked have been  
23 negative. And I won't go into the details, but  
24 I've observed firsthand negative. And one of  
25 the main things, I've observed that the

1  
2 separation of the SA students from the regular  
3 students has created a sense of superiority and  
4 inferiority between the two sets of students,  
5 and that is absolutely very, very serious. That  
6 should be dealt with. The use of general  
7 facilities, lunch room, auditoriums, gymnasiums  
8 for example greatly limit the time that  
9 students get to use them. Lunch schedules can  
10 be from 10:00 a.m. through 2:00 p.m. Students  
11 who are scheduled for the early and late lunch  
12 periods are very likely to have their already  
13 serious food choice problems compounded.  
14 There's already a serious problem with bad diet  
15 that leads to bad health and those early  
16 lunches and late lunch is terrible. The recent  
17 debacle about Mayor de Blasio cancelling a  
18 percentage of the new co-locations very clearly  
19 illustrated the favoritism given to the Success  
20 Academy Charter Schools. There was much outcry  
21 in the media about unfairness toward the less  
22 than 200 of the SAC students and virtually no  
23 mention of the unfairness toward all of the  
24 much larger number of regular school children  
25 who have to find a place for themselves in



1  
2 September. Nothing was said about them I never  
3 even heard a reporter and say how many of those  
4 students there were. I know the charter school  
5 was 190 some students, but there were many more  
6 other students that were not mentioned. And I  
7 have to inject that de Blasio lost this one and  
8 the Governor is with the charter schools. Eva  
9 Moskowitz won that fight, in my view. There's  
10 nothing fair about the media shining light on  
11 six percent of our student population and only  
12 giving minimal attention to the other 94  
13 percent of our students. All of our students  
14 are valuable and deserve the same level of  
15 support and protection. Further, we must have  
16 more light shone on success in the public  
17 school system. And that's my statement.

18 CHAIRPERSON DROMM: Thank you very  
19 much, and I deeply appreciate that, and you hit  
20 some very good points there and thank you very  
21 much. Who will be next?

22 NANCY NORTHROP: Okay, I'll go. Is  
23 that okay? Good afternoon. My name is Nancy  
24 Northrop. I'm the President of the Queens High  
25 School President's Council, which represents

1  
2 all the high school PA's and PTA's in Queens. I  
3 also serve on the Chancellor's Parent Advisory  
4 Council's Executive Board. So I just wanted to  
5 interject. There was a question earlier about  
6 charter schools and PTA's and whether they're  
7 on CPAC [sic], and as far as we understand they  
8 are not part of the President's Council CPAC  
9 structure. Although, we would welcome them.  
10 We would welcome them because we like to  
11 represent all parents. I think it's important  
12 to note that my kids attend traditional public  
13 schools, and I don't think that I even know any  
14 kids that attend a charter school. Co-location  
15 and over-crowding are both significant problems  
16 in Queens. We have written extensively to the  
17 new Chancellor about these issues, however I'm  
18 very concerned that the current debate over  
19 charter schools has become a huge distraction,  
20 paralyzing the DOE, Mayor's Office and City  
21 Council from taking meaningful steps to truly  
22 address these issues. Recent debates over  
23 charter schools have led many to believe that  
24 overcrowding and co-locations are being caused  
25 by charter schools. Queens schools at all

1  
2 grade levels are notoriously over-crowded with  
3 well over 30 students in some first grade  
4 classrooms, high schools that operate in shifts  
5 and trailers housed in spaces that should be  
6 used for athletics, but overcrowding in Queens  
7 has nothing to do with charter schools, nor do  
8 charter schools have anything to do with the  
9 huge co-location debacle in Queens. And I want  
10 to just point out that when Noah talked earlier  
11 about all these parents in Queens turning out  
12 against charter co-locations, we don't have  
13 that issues. These issue--the co-locations that  
14 are happening in Queens involve other public  
15 schools. Alright. At the Queens' high school's  
16 President Council, our opposition to co-  
17 location does not center on the programs. Many  
18 of these programs may be wonderful, new themed  
19 schools and CT programs created on a small  
20 school model. None of the high school co-  
21 locations in our high schools even involve  
22 charters. Our concern center on the lack of  
23 parent and community involvement and input into  
24 decision making at their own schools, parent  
25 anger that struggling schools with new

1 principals face a prospect of trying to turn  
2 around their existing schools with the  
3 disruption, complication and culture shock of  
4 co-location thrown into the mix, and fears of  
5 even further over-crowding with science labs  
6 and art rooms being turned into classroom space  
7 and administrative offices. We are frustrated  
8 that all the parents that have turned out  
9 fighting against their co-locations and their  
10 schools are somehow getting subsumed into this  
11 charter school issue that has nothing to do  
12 with them. Rather than focusing on charter  
13 schools, I hope the City Council will focus on  
14 the true issue at the heart of this debate,  
15 which is simply that more schools need to be  
16 built. In Queens, this is true for all  
17 education levels, elementary, middle and high  
18 school. I hope the Mayor and City Council will  
19 show as much dedication and resolve in finding  
20 ways to solve this much more difficult problem  
21 as they have at focusing attention on the  
22 relatively minor distraction of charter  
23 schools. And I just want to make one last point  
24 which is not in my testimony, which is to say  
25

1  
2 we've talked about a lot of issues today of  
3 which many I'm very sympathetic about. For  
4 example, the humiliating discipline issues that  
5 you talked about, but I will promise you there  
6 are schools, and I can do it myself or parents  
7 that can talk about the humiliation that some  
8 of their own children have faced in public  
9 schools. This is not unique to charter schools.  
10 Unfair resources in Queens, we have schools  
11 that are converted warehouses next--without  
12 gyms, without auditoriums, with barely a  
13 cafeteria next to gorgeous new beautifully  
14 built high schools, some that offer AP courses  
15 and have great athletic programs and some that  
16 can offer none of that. There are huge  
17 disparities within the public school system  
18 that need to be addressed, not to mention every  
19 other issue. It's not a--to me, it's not a  
20 charter school issue, so I hope we can all join  
21 together and work to improve the education  
22 system regardless of charter or not charter.  
23 There are huge fundamental issues that need to  
24 be addressed and I hope we can do that. That's  
25 all.

1  
2 CHAIRPERSON DROMM: Okay, so thank  
3 you. Just before I let the last speaker speak,  
4 just a point of clarification. There are some  
5 charter schools now that are going to be coming  
6 in, particularly into the Jamaica area of  
7 Queens, I believe at PS 59. I'm not exactly  
8 sure. Am I right? Yes. And so it's Success  
9 Academy that's coming in. So that is happening  
10 in Queens--

11 NANCY NORTHROP: [interposing] But  
12 the high school level the Aug Smart [sic] and  
13 the magnet charter school, the Martin Van  
14 Buren--

15 CHAIRPERSON DROMM: [interposing] But  
16 I was at a community meeting in Cambria [sic]  
17 Heights.

18 NANCY NORTHROP: Yeah, I was there.

19 CHAIRPERSON DROMM: You were both  
20 there?

21 NANCY NORTHROP: I heard you. We  
22 were--I was there. You heard me speak.

23 CHAIRPERSON DROMM: Yes, and so  
24 they're getting the co-location. That was what-

25 -

1  
2 NANCY NORTHROP: [interposing]

3 They're getting--but it's not--I was--because I  
4 asked. I asked the parent, the PTA President  
5 from the school, it's not--but it's not a  
6 charter. It's just a regular school. Our  
7 problems, as a rule, not charter schools.  
8 They're--

9 CHAIRPERSON DROMM: [interposing]

10 Okay, well, I thought it was charter, could be  
11 wrong. You know.

12 NANCY NORTHROP: Yeah, I'm talking  
13 high school.

14 CHAIRPERSON DROMM: Alright, so let  
15 me--are you going to testify? Okay, so we'll  
16 hear from you in a moment. Yeah, okay. So the  
17 other thing is that there's a different  
18 situation when we talk about discipline codes,  
19 DOE versus charter, in particular in this case.  
20 Okay? Because this is unique in the sense that  
21 it's protocol for that school. It's written in  
22 their policies. The DOE does not have this  
23 written in their policy and if a teacher in a  
24 DOE school did this, I'm tell you right here  
25 and now they would be arrested.

1  
2 NANCY NORTHROP: I'm just going to--  
3 I'm just going to say my experience is that  
4 there are similar things that happen all the  
5 time in public schools--

6 CHAIRPERSON DROMM: [interposing]  
7 They happen but they're not in the code.

8 NANCY NORTHROP: And they may not--

9 CHAIRPERSON DROMM: [interposing]  
10 This is actually in the code.

11 NANCY NORTHROP: be in the code, but  
12 parents complain and nothing happens. So I'm  
13 not--I mean, my understanding--

14 CHAIRPERSON DROMM: [interposing] And  
15 there is an area--I hear you.

16 NANCY NORTHROP: So what I'm saying  
17 is I would encourage you to look at discipline  
18 issues. It's not just charter schools. I think  
19 they're--

20 CHAIRPERSON DROMM: [interposing]  
21 Right, so we do look at discipline issues and  
22 as a matter of fact, I think in June if not  
23 June then September when we reconvene after the  
24 summer, we're going to have a hearing on  
25 restorative discipline practices. The fact that



1  
2 there are more school safety agents in the  
3 public schools than there are guidance  
4 counselors is a huge issue of concern to me.

5 NANCY NORTHROP: I agree.

6 CHAIRPERSON DROMM: We're going to  
7 look at that, but there's a distinction to be  
8 made between having a school that has the  
9 orange shirt policy written into their  
10 discipline code and the DOE policies. I am  
11 going to go after and I'm going to look at the  
12 DOE policies as well, but this is unique in  
13 that sense.

14 NANCY NORTHROP: I just want to get  
15 the one example that was horrendous out of  
16 Queens, though, which was at a local middle  
17 school with the little girl who was writing  
18 with a sharpie on her desk. She was escorted  
19 out by policeman, the policeman for the 112<sup>th</sup>  
20 precinct who came over, which was outrageous. I  
21 mean, I'm just saying--

22 CHAIRPERSON DROMM: [interposing]

23 Right.

24 NANCY NORTHROP: they're horrible. So  
25 I'm sympathetic to what you're saying. I just--

1  
2 I just think it's a broader issue. That's all  
3 I'm saying. It's a broader issue.

4 CHAIRPERSON DROMM: So we've  
5 addressed the issues with the Chancellor as  
6 well, and we're going to, but there's a place  
7 to come to for that. Without the oversight, we  
8 don't have that. So anyway, I'm basically  
9 agreeing. And just to go to Reverend Rivera  
10 again, if you're talking about charter schools,  
11 and I think you said this in your testimony as  
12 well, as being places where parents have more  
13 community control, nobody can argue with that.  
14 I use Renaissance as an example of where that  
15 really does occur. And so that I'm in full  
16 agreement with and but there's also from some  
17 of the testimony that we heard here today, a  
18 distinction to be made between charter schools  
19 who live up to that promise and then those who  
20 don't.

21 RAYMOND RIVERA: Right. And Mr.  
22 Chairman, I appreciate you recognizing that and  
23 affirming that. All I'm saying is that--and the  
24 reason we organized the Community Coalition of  
25 Schools is whether intentionally or not there's

1  
2 one person that has become the face of charter  
3 schools as evident in this meeting. It really  
4 could have been called the public hearing on  
5 Eva Moskowitz. I mean, she dominated this  
6 meeting so much. That just creates, and I  
7 respect her. I'm not demonizing her. She has a,  
8 you know, whatever she's doing I support all  
9 schools, parochial schools, alternative  
10 schools, private schools, anything that helps  
11 us reform Tweed [sic] Street, I'm for all kind  
12 of schools, but to paint all charter schools  
13 with one brush in the continuing public  
14 discourse, that doesn't help anybody. And  
15 that's all I'm saying. We have to have a more  
16 balanced approach that Eva does not--is not the  
17 whole face of the charter school movement, and  
18 that's all I call for--

19 CHAIRPERSON DROMM: [interposing] And  
20 I couldn't agree with you--

21 RAYMOND RIVERA: this balance, this  
22 balance.

23 CHAIRPERSON DROMM: I couldn't agree  
24 with you more, and I actually tried today to  
25

1  
2 take, to go to extents to make sure that this  
3 was not all about Eva. It's amazing.

4 RAYMOND RIVERA: I know, but she's  
5 so, you know.

6 CHAIRPERSON DROMM: She's not even  
7 here.

8 RAYMOND RIVERA: I know.

9 CHAIRPERSON DROMM: Okay? And that  
10 to me is a statement in and of itself about  
11 where she's at. But I will say this also, when  
12 I asked several of the other charters, they did  
13 not distinguish themselves from Eva, and that's  
14 a problem within the charter movement that you  
15 within the charter movement need to deal with.  
16 I hope that that's part of what's going to go  
17 on with the community base charter school  
18 organization, the coalition.

19 RAYMOND RIVERA: Well, one more  
20 response. This is not speaking for the  
21 coalition. I want to state unequivocally I'm  
22 for all schools. If billionaires want to come  
23 into High Bridge and give me a million dollars,  
24 I'll take it. I'm for private academies. I'm  
25 for parochial schools. I'm for alternative

1  
2 schools. I'm for public schools. Those are just  
3 tools in our arsenal. Anything that helps  
4 children of color not to fail, I'm supportive  
5 of it.

6 CHAIRPERSON DROMM: Alright. Let's  
7 hear from our final witness on this panel.

8 BROOKE PARKER: Hi, my name is  
9 Brooke Parker. Thank you for giving me the  
10 opportunity to speak to this. I'm sure some of  
11 what I'll speak to will ring true for a lot of  
12 the testimony that you've previously heard and  
13 I hope to shed some new light and offer some  
14 suggestions. I am a parent, a former member at  
15 CC for District 14 and a founding member of  
16 grassroots, 100 percent grassroots, no funding  
17 group called WAGPOPS, Williamsburg and  
18 Greenpoint Parents at Our Public Schools. We've  
19 discovered--we're 900 strong and growing, and  
20 we represent schools from Buschwick and Bed-  
21 Stuy all the way to Greenpoint. We've  
22 discovered significant problems with the  
23 charter schools in our district. Some are  
24 specific to the charters in our district and  
25 some are endemic. Unlike you, charters are our

1  
2 problem. Now, it's important to repeat that  
3 neighborhood public schools represent very  
4 hyper local communities. We have--I am data  
5 driven, and I believe in best practices, and I  
6 believe that there's a whole set of data that  
7 we haven't seen that sheds light on this  
8 particular issue, and I praise this bill, and I  
9 would like to push it farther. Some people have  
10 already talked about the rampant resegregation  
11 that occurs with unfettered school choice. This  
12 has impacted district 14 significantly, mostly  
13 because we also have magnet schools that were  
14 designed to end Latino isolation in our  
15 schools. Charter schools coming into that mix  
16 have only increased segregation. So that when  
17 one charter school praises itself for having 50  
18 percent free and reduced lunch, well our  
19 neighborhood public schools have like 100  
20 percent, most of them. And the charters, every  
21 single one of them has between 20 and 30  
22 percent less free reduced lunch than the public  
23 schools in that area. And I think it's  
24 important that we be hyper local about this. I  
25 think it's important that we disaggregate data,

1  
2 because the citywide data may be 12 percent  
3 ELL's, but we have neighborhood public schools  
4 K through five that are 28 percent English  
5 language learners. You know, these are very  
6 local issues and the impact of this is felt  
7 very locally. So when you talk citywide zoning  
8 district, you need to very careful about the  
9 numbers that you use because you can push and  
10 pull data any way you choose. And we need to be  
11 aware of that. If we're going to be proactive  
12 versus reactive, we need to be proactive about  
13 segregation. We need to have very real and  
14 current data regarding charter schools. So I'm  
15 going to move on beyond that. It's important to  
16 note that in the authorization of charter  
17 schools, they're irrespective of sound city  
18 planning, 100 percent. SUNY charter school has--  
19 -institute has--you know, I've met with them  
20 and they have reaffirmed that City Planning is  
21 not in their rubric at all. Meaning, in my  
22 district, which where the census numbers of  
23 school aged children has rapidly decreased, we  
24 keep getting more and more charter elementary  
25 schools. We don't have the students for them.

1  
2 It's forcing schools to be under enrolled and  
3 to hurt their budget. So in addition to  
4 resegregating our schools, we now have some  
5 schools that should have more students that  
6 don't. I also want to discuss--oh, actually  
7 before I move onto that, this is very  
8 important. I have a few very important issues  
9 and I really beg your patience and I'll try and  
10 be quick about all of them. When we talk about  
11 the wait lists for schools like Success  
12 Academy, but many more, it is essential to note  
13 that we cannot get any first year enrollment  
14 numbers, and the reason why we can't get any  
15 first year enrollment numbers, we discovered  
16 because we looked at the School Construction  
17 Authority's numbers. That's the only place you  
18 can get first year charter school numbers. It's  
19 because so many of them are under the legal  
20 limit that would allow them to open. The law  
21 says they have to be 20 percent of their target  
22 figures, and so many Success Academies don't  
23 make that mark. So many other charter schools  
24 don't make that mark, including Citizens of the  
25 World Charter School Williamsburg in my



1 district that was at 56 students they opened  
2 with, and their target was 126. So SUNY wisely  
3 put them on probation when we forced them to,  
4 and their response was to come up with an  
5 enrollment plan, and I'm going to get to  
6 marketing next. Their response was to come up  
7 with an enrollment plan that SUNY approved of,  
8 which included a whisper campaign, where they  
9 quietly told parents to hurry, seats are  
10 filling fast. So they willfully deceived  
11 parents, pulled them out of the schools that  
12 they were in making all kinds of promises to  
13 get them to fill their numbers because students  
14 mean money, and they didn't want to close. This  
15 is another org--Citizen's of the World, I'm  
16 going to talk about them as examples, but  
17 they're reflective of I think other problems,  
18 the systemic problem of obfuscation, where we  
19 are not able to get to the facts. We tried  
20 foiling Success Academy's figures. For their  
21 enrollment numbers for their first years, they  
22 told us they didn't have them. You know? Harsh  
23 discipline practices have come up and I am so  
24 happy that they have, because there is--we  
25

1 should no longer talk about high quality  
2 charter schools without at the same moment  
3 looking at their school climate. It's  
4 irresponsible and you know, we discussed how  
5 the Department of Ed, the Federal Department of  
6 Ed has made exclusionary discipline practices a  
7 big focus. It is important to note that the  
8 most egregious examples of them come from our  
9 charter schools. I'll put it out there right  
10 now, I think that orange shirt is repulsive. I  
11 would never accept that happening to my child,  
12 and as tax payers, we should accept that  
13 happening to any child, and it doesn't even  
14 matter if the parents agree, because can agree  
15 that their children can be spanked and we would  
16 not allow tax payer dollars to go towards that.  
17 It is abusive. The padded room for KIP Charter  
18 Elementary School is abusive where kids urinate  
19 and vomit in that room, and they're still  
20 allowed to have this. We've also noted through  
21 FOIL that Citizens of the World Charter school,  
22 which markets itself as progressive has amassed  
23 34 out of school suspensions in its first year,  
24 with just kindergarten and first graders, 34  
25

1  
2 out of school suspensions and over 450 office  
3 referrals. And this is a school, again, that  
4 markets itself as progressive. When nearby  
5 neighborhood public schools with a full span of  
6 K through Five have zero suspensions. The  
7 deceptive marketing practices really speaks to  
8 choice. And again, I apologize. Parents are not  
9 aware of what they're choosing. They--it's one  
10 thing to talk about outreach, but there are no  
11 fine print to the marketing materials. There's  
12 no fine print. Parents aren't told. The Success  
13 Academy Student Handbook wasn't put in Spanish  
14 until 2013. And you can try foiling this  
15 information, and it's nearly impossible to get  
16 it. Every other industry has regulations on  
17 false advertising and it's unacceptable that we  
18 have allowed charters to market their schools  
19 any way they please, making any promise they  
20 want when tax payers and families pay the  
21 price. Board issues: Every charter school is  
22 run by its Board of Directors, yet their  
23 minutes are not captured for the public. Very  
24 few of them publish their minutes. Very few of  
25 them publish when their meetings happen. You

1  
2 can't find a Success Academy agenda anywhere.  
3 Who knows when their board meetings take place.  
4 This is very troublesome. We've seen utterly  
5 inept Board of Directors at Citizens of the  
6 World when they were operating and executing  
7 documents without a full board for months. We  
8 have no agency that keeps track of these boards  
9 and ensures that they're doing their job. So  
10 I'm going to end with this. The recent, you  
11 know, the State Comptroller can't do his job to  
12 audit charter schools, and there is no state  
13 agency. We've uncovered fraud at Citizens of  
14 the World Charter Schools, where their outside  
15 organization is charging eight percent  
16 licensing fees simply for the right to use  
17 their name, and we have all kinds of documents  
18 that attribute to this fraud and there's  
19 nowhere to go. The buck doesn't stop anywhere.  
20 While we are offering greater and faster  
21 funding streams to charter schools, it's our  
22 belief and experience that SUNY Charter School  
23 Institute has a very high turnover and is too  
24 understaffed to manage the weighty  
25 responsibility that they have to New York City

1  
2 students and tax payers. It is essential that  
3 we have a watch person. We'd like to see the  
4 minutes of board meetings published in one  
5 single place, and we would like the fine print  
6 published in the marketing materials. That's  
7 one thing, and also the accountability of every  
8 single aspect, teacher attrition, services for  
9 IEPs, numbers and lengths of suspensions so  
10 that parents know what it is that they're  
11 choosing and what rights they give up when they  
12 sign that contract.

13 CHAIRPERSON DROMM: Well thank you  
14 for that thorough testimony. I do appreciate  
15 it, and shining the light of transparency on  
16 these issues is vitally important to this  
17 committee and that's why we held this hearing  
18 today, and I thank you for your contributions  
19 very, very much. Thank you. Thank you to this  
20 panel, and we'll call up our next panel. So  
21 Angela Garsus [sp?], Uderka Valdez [sp?]  
22 Tandra Lang, Maria Valtista [sp?] and Jim  
23 McCay [sp?]. Okay. Tiffany Liston? She's gone?  
24 Gina Sardi from the Montessori Charter School.  
25 Okay. Shubert Jacobs from the Bronx Charter

1  
2 School for better learning. No, okay. And  
3 Melissa Plowden-Norman [sp?] from Excellence  
4 Boys Charter School. No? Here we go. Lorraine  
5 Gittens-Bridges. [off mic] Okay, please raise  
6 your right hand. I need to swear you in. Do  
7 you swear or affirm to tell the truth, the  
8 whole truth and nothing but the truth in your  
9 testimony before this committee and to respond  
10 honestly to Council Member questions?

11 PANEL AS A WHOLE: [off mic] I do.

12 CHAIRPERSON DROMM: Okay, thank you.  
13 Where should we begin?

14 MELISSA PLOWDEN-NORMAN: My name is  
15 Melissa Plowden-Norman [sp?] and I'm a parent  
16 of a young man at Excellence Boys Charter  
17 School. I have the honor of being a very  
18 involved parent in charter school, and also I  
19 had the honor of being a very involved parent  
20 in traditional school as well. I was very  
21 active. I have been the Parent Association  
22 President. I've been the President of CEC 13  
23 and I've also was one of two representatives on  
24 the high school council. I was in two  
25 traditional school co-locations with my oldest

1  
2 son. On the middle school level it was a  
3 positive relationship with the two  
4 administrations. However, it was not--I'm  
5 sorry, it was not a positive relationship with  
6 the two Administrations. However, on the high  
7 school level, the co-location was excellent. It  
8 was three high schools in the building.  
9 Administration were together and put their egos  
10 aside. They do all their sports together, music  
11 and performing arts together, and I'm able to  
12 say that when it comes to co-location, it did  
13 start with traditional and not charter school,  
14 and serving in the capacities that I have I've  
15 seen a lot of problem with co-location and it  
16 had nothing to do with charter school. You  
17 would not even know that the three schools that  
18 were in the building were separate schools.  
19 There are more of the traditional co-locations  
20 than charter, and like I said, many of them  
21 have extensive problems. On the charter side  
22 I'm very involved with activities, teacher  
23 staff, principals and head of school. I have  
24 everyone's personal cell numbers. I love the  
25 fact that I do not have to micromanage

1 academics. I have been my two son's first  
2 teacher. I'm glad to have a choice, even though  
3 you say it's not a choice, but I'm glad because  
4 I was very instrumental in doing my homework  
5 when it came to applying for schools, and I was  
6 educated about my choices. I went into  
7 everything fully knowing what each school had  
8 to offer, and I took that job very seriously.  
9 It was like a college process for me. So I did  
10 choose the lottery process for my son who has  
11 been in charter school for seven years, and I'm  
12 still just as pleased as I was from day one,  
13 and when we did the college, I mean--I'm sorry,  
14 the charter school process, they knew nothing  
15 about my son. My son did not attend preschool.  
16 I was his first teacher. When he got into  
17 school he could read, write, do math,  
18 everything, but they did not know that when he  
19 was accepted into the school. And dealing with  
20 both traditional and charter school, I have  
21 witnessed a huge difference in class  
22 management. My son attends the all boys charter  
23 school, Excellence and we're under uncommon  
24 schools where there is no fighting and no  
25



1 bullying. I believe alarmingly that we have  
2 bigger issues to address like the suicide rates  
3 of our children due to peer bullying and  
4 children dying at the hands of their own peers.  
5 My oldest son is finishing his second year of  
6 college two years early. He has just turned 18  
7 and he'll be finishing his second year of  
8 college. His high school was already aligned  
9 with the Common Core standards prior to its  
10 roll out. My other son who is in charter school  
11 also was already aligned as well with the  
12 Common Core standards. At his charter school,  
13 they do not teach to the test, they incorporate  
14 everything into their teaching and have  
15 children focused on college from kindergarten.  
16 My son's first college fair was at six years  
17 old and he could identify most of the colleges  
18 and universities there. He was also selected  
19 one of 30 students in the New York City area to  
20 attend VASA [sic] College for this month of  
21 July as an on-campus student. He is 11 years  
22 old and is in his second year of middle school.  
23 Administration engaged parents and addressed  
24 their concerns. While my child does not have a  
25

1  
2 behavior issue, I was instrumental in changing  
3 the behavior system at my son's schools. I  
4 suggested that they put in a reward system  
5 instead of a punitive one. They listened. My  
6 concern was not for my child but all the boys.  
7 I have witnessed a great improvement in many of  
8 our young men behavior. Brotherhood and  
9 accountability is being promoted and it works.  
10 The commitment level of the staff and teachers  
11 is tremendous. They are in the building late  
12 into the evening, Saturdays, and sometimes even  
13 on Sunday. My son recently had surgery and from  
14 the head of school, principal, director of  
15 operations, social worker and teachers, they  
16 were all very attentive and on point in dealing  
17 with him. For the last three years I have  
18 assisted with recruitment in the heart of our  
19 community, excuse me, and that's Bed-Stuy of  
20 Brooklyn. We have children on all levels,  
21 including special needs who are flourishing. I  
22 am actively involved in the community, DOE,  
23 ACS, foster care, preventive, Brooklyn  
24 Fatherhood Partnership, Bed-Stuy Community  
25 Partnership Program, and I'm a founding member

1  
2 of the Bed-Stuy Advocacy. I believe it takes a  
3 village to raise a child and in empowering  
4 families. I have many extended children and  
5 concerned about all children. Eva Moskowitz do  
6 not represent all charter schools. I am sorry  
7 to hear the awful stories, however, some of the  
8 charter schools are doing great. I believe data  
9 is very--

10 CHAIRPERSON DROMM: [interposing] I'm  
11 going to ask you to wrap it up.

12 MELISSA PLOWDEN-NORMAN: important,  
13 and more importantly school visits. Excellence  
14 Boys Charter Elementary and Middle Academy  
15 welcome visits. We are a part of uncommon  
16 schools, like I said before. I'm a proud parent  
17 of seven years and excited about the  
18 accomplishments of our Excellence family. Thank  
19 you for your time.

20 CHAIRPERSON DROMM: Thank you very  
21 much for your testimony. Next, please?

22 TANDREA LANG: Good evening. My name  
23 is Tandrea Lang. I am the current PTA  
24 President--

CHAIRPERSON DROMM: [interposing]

This is a great committee I got to tell you, and great people that stay this long. Thank you.

TANDREA LANG: You're welcome. I am the current PTA President at IS 59 who is-- which is slated for a co-location of a Success Academy in September. The IS 59 school community's official position is that we are against co-locations. We are against co-locations because co-locations have already happened in our building and it is proven to be a challenge. We had an Eagle Academy put into our school two years ago. Once they grew to their second grade, they realized that the space utilization just was not there, and so they began a process and they obtained their own building. We currently have two grades from PS 176 co-located into our school for approximately the next two to three years due to construction on their building. So we already have a school co-located in our building, which will be going on for the next couple of years, and again it has presented the

1 traditional co-location and not enough space  
2 problems where as many people stated earlier,  
3 students are going to lunch really early in the  
4 day and really late in the day. A perfect  
5 example of that, I have a seventh grader who  
6 goes to lunch at the 10:30 period, every single  
7 day. Every single day by 2:30, 3:00 when she's  
8 slated to go to an after school program, the  
9 child is calling because she is hungry. Okay?  
10 And that is a problem. So IS 59's issue is that  
11 we don't have space for a whole another school.  
12 We would like to see the resources put into the  
13 existing school. When the Eagle Academy came,  
14 the Administration promised us resources for  
15 the existing school that have not shown up. At  
16 the end of last year as the Administration was  
17 going out, Dennis Walcott again came to us  
18 promising us all kinds of resources for the  
19 school that is existing there, but those  
20 resources have not come. The Department of  
21 Education promised us because our current  
22 school grade has been a "C" consistently for  
23 the last three years. They promised us changes,  
24 whether it be Administration, whether it be  
25

1 teachers, whatever. No changes have come. So  
2 naturally, the people in the community are  
3 concerned about a school coming in that is not  
4 going to address the needs of all the students  
5 in the community. We had heard horror stories  
6 through literature about Success Academy, but  
7 hearing so much here today, it's really  
8 disheartening to know that this school has been  
9 slated for our community without community  
10 input. Our position is that if there is room  
11 for another school and if that's the Department  
12 of Education's policy that they're going to put  
13 another school in, a charter school, then the  
14 community should have a say in terms of what  
15 kind of school is going to come into our  
16 building, because from what I'm hearing,  
17 Success Academy has a lot of questionable  
18 practices that we don't need in our community,  
19 and it's not welcomed. Also, IS 59 is a middle  
20 school. They're bringing in kindergarten  
21 classes. So you essentially have five year olds  
22 with teenagers, which is problematic in many  
23 people's eyes. You know, if you sign on for a K  
24 to Eight, that's one thing, but to have that  
25

1  
2 put upon you to me is not fair to the  
3 community. And so I would like to thank the  
4 Council for this hearing. I stayed because I  
5 know that it's important that you know how we  
6 feel and from our school's perspective, and  
7 that's why I did stay, and I appreciate the  
8 time. Thank you.

9 CHAIRPERSON DROMM: Well, I  
10 definitely appreciate you staying, because I  
11 think having your voice here is vitally  
12 important, and when I went out to PS 59 I saw  
13 the conditions firsthand. It happened to be a  
14 very nice neighborhood to begin with. It's a  
15 lovely area of Queens, and the parents who  
16 turned out to that meeting overwhelmingly, I  
17 don't think there was anybody, any parent who  
18 did not speak out against the co-location in  
19 that school. And when Reverend Rivera was here  
20 as well, he mentioned about parental  
21 involvement and hearing the voices of our  
22 parents. And what has happened during the last  
23 12 years under the Bloomberg Administration is  
24 that our parent's voices were not heard. And  
25 you gave a perfect example of what was tried

1  
2 and did not work, and now they're going to try  
3 again and I wonder if it's going to work. I  
4 have my doubts, but I want to thank you for  
5 coming and for sharing this story, because I  
6 think it's really important that we have that  
7 on the record as well. Thank you.

8 TANDREA LANG: Thank you.

9 CHAIRPERSON DROMM: Next, please?

10 We got you covered.

11 GINA SARDI: Good evening, Chairman  
12 Dromm and thank you for the opportunity to  
13 testify. I did stay because I think I'd like to  
14 speak about something slightly different. My  
15 name is Gina Sardi, and I'm the Principal and  
16 Co-founder of the New York City Montessori  
17 Charter School. I'm here to speak on behalf of  
18 an innovative program, one that's very  
19 different from a lot of what we've heard today,  
20 but I think we're doing a lot of what charter  
21 schools are supposed to do. The New York City  
22 Montessori Charter School opened its doors in  
23 September of 2011 in the Mott Haven area of the  
24 South Bronx. Our idea was to provide an  
25 alternative for families in a district where



1 schools are over-crowded, test scores are among  
2 the lowest in the city and poverty levels are  
3 very high. We had a vision of a school that  
4 offer children a unique opportunity, a school  
5 where not only was high academic performance  
6 important, but where children could benefit  
7 from an educational approach that up to now has  
8 only been accessible to affluent families. We  
9 created the first Montessori public school in  
10 New York City and the first Montessori Charter  
11 School in the State. We're now in our third  
12 year. Our enrollment is 220 students, K through  
13 three. Our demographics reflect the district  
14 where we are, the community school district  
15 seven. We have 89 percent of our students are  
16 eligible for free and reduced price lunch, 23  
17 percent of them are students with disabilities,  
18 and 13 percent are English language learners.  
19 The Montessori approach creates an environment  
20 for learning that encourages children to become  
21 independent learners. From the youngest ages  
22 starting in kindergarten, and hopefully soon in  
23 pre-k, children learn to take responsibility  
24 for their learning and become self-directed and  
25

1 self-motivated. Each class has two teachers.  
2  
3 The individualized approach inherit in  
4 Montessori allows for the type of  
5 differentiation that is needed with a  
6 population of children who come from a broad  
7 range of backgrounds, ability levels and  
8 educational needs, including students with  
9 disabilities and English language learners.  
10 We're completely committed to meeting the needs  
11 of all of the children in our school. To this  
12 end, we have added our special education staff  
13 so that we can provide children with the needed  
14 additional supports. We have our own speech  
15 pathologist, special education teachers and  
16 literacy specialists, and this past August we  
17 opened our first self-contained classroom. We  
18 filled the class. It was very successful, and  
19 next year we're going to add a second class for  
20 children. Our curriculum is rich. It is  
21 includes art and disciplinary part of the arts  
22 and music--interdisciplinary project work along  
23 with individualized and small group instruction  
24 and the children receive a very strong academic  
25 foundation. The school's curriculum is based on

1  
2 an alignment of the Montessori approach with  
3 the core curriculum standards using specially  
4 designed Montessori lessons and materials. A  
5 longer school day also provides the children  
6 with more opportunities for academic support.  
7 At the same time that we're committed to  
8 student performance by law and by choice, we  
9 focus on the types of students that we want to  
10 prepare and what they will need in order to  
11 succeed in their future education, work, and  
12 indeed, in their life. We prepare our students  
13 to be life-long learners who are curious,  
14 independent, creative, perseverant and  
15 motivated. As future leaders, we want them to  
16 come to the peace table in their classrooms to  
17 work out their differences with words, to learn  
18 discipline rather than have it imposed on them.  
19 We want them to become caring, compassionate,  
20 entrepreneurial creative problem solvers. As a  
21 charter school, we have the unique opportunity  
22 to be innovative and to implement a model that  
23 is successful in thousands of private schools  
24 and some hundreds of public schools around the  
25 country. At the same time we're faced with the

1  
2 challenge of doing this while spending over 20  
3 percent of our rent, of our budget on rent in  
4 the private facility. Without that added  
5 expense, we could add more supports for our  
6 students and reduce our class size. Thank you.

7 CHAIRPERSON DROMM: Thank you very  
8 much. I thank you for staying as well, and for  
9 passing the endurance test here. I have to say,  
10 I'm a fan of Montessori. My mother had a  
11 Montessori school at one time as well, and my  
12 counsel went to a Montessori school, so I don't  
13 know if I was supposed to give away that  
14 secret, but she did. Let me just ask you as  
15 I've asked other charter school operators, what  
16 do you think of the orange shirt?

17 GINA SARDI: I think it's awful.  
18 It's--

19 CHAIRPERSON DROMM: [interposing] Can  
20 you just speak a little bit into the mic,  
21 because we're not getting it.

22 GINA SARDI: I'm enraged by it. I  
23 think humiliating children, singling them out  
24 teaches them nothing but anger and rage, and it  
25 doesn't do anything to change behavior. I

1  
2 firmly believe that in order to change a  
3 child's behavior they have to learn something,  
4 and what they're learning from that situation  
5 is just that I am not good, I am not accepted.  
6 They're not learning anything positive. There's  
7 many, many things that children do need to  
8 learn to prevent behavior discipline issues,  
9 because they do happen, but once it happens  
10 there are--there's things--there's other ways  
11 to deal with it, and not singling out or  
12 humiliating a child. I'm very firmly against  
13 it.

14 CHAIRPERSON DROMM: Thank you. Thank  
15 you very much. Next, please?

16 SHUBERT JACOBS: Thank you, Chairman  
17 Dromm for this opportunity. My name is Shubert  
18 Jacobs, and I'm the Principal at the Bronx  
19 Charter School for Better Learning. When I  
20 wrote my testimony, it had good morning. I've  
21 heard good afternoon, good evening, and the  
22 thing I'm happy I wrote that I'm not saying  
23 good night. So I'm Shubert Jacobs. I'm founding  
24 Principal of the Bronx Charter School for  
25 Better Learning, and again, thank you for this

1  
2 opportunity to testify today. The Bronx Charter  
3 School for Better Learning, BBL for short, is a  
4 K through Five elementary school and is located  
5 at 3740 Baychester Avenue in the Northeast  
6 Bronx. BBL opened its doors in 2003 to 50  
7 students and we currently have on register 420.  
8 Our school is primarily first generation from  
9 Jamaica, West Indies and West Africa. BBL  
10 caters to all population, the special  
11 education, English language learners as well as  
12 those who qualify for free lunch. I want to  
13 make a point here. It's not in the testimony,  
14 but I want to make a point about the ELLs,  
15 because we have talked about the discrimination  
16 and sort. One of the things about BBL we  
17 realize is that because of where we are located  
18 we don't have a lot of ELLs. So what we have  
19 done, all the money that we have really spent  
20 on advertising is primarily towards that  
21 population. It is our plan in 2005 to replicate  
22 our school by opening another campus. We will  
23 start with Kinder, and we'll grow K through  
24 Five in five years. The current BBL is co-  
25 located with PS 111, and we share a very good

1 relationship with that school. I've been an  
2 educator for the past 27 years and of which  
3 were spent in teaching. One of the purposes for  
4 which charters were established was to provide  
5 opportunities for innovative approaches to  
6 learning and I'm here to testify about  
7 innovation at BBL. Our approach to education is  
8 called subordination of teaching to learning  
9 and it was developed by an Egyptian professor  
10 by the name of Caleb Gattegno. Now  
11 subordination of teaching to learning I know is  
12 a mouthful, and I could spend hours telling you  
13 about the methodology, but I think the time  
14 would be better spent telling you about what  
15 happens in our school on a day to day basis. At  
16 BBL, our children's spirits soar and that is  
17 key. We don't give them answers. We help them  
18 figure out things for themselves. In this  
19 moments are students get chances to see what  
20 they can do, and with joyful enthusiasm they  
21 express the satisfaction that they have figured  
22 out a problem or arrived at a solution by  
23 themselves, an accomplishment they can call  
24 their very own. The phrase "Ah-ha, I got it"

1 rings out in many classrooms on a daily basis.  
2 Our children are eager to answer, eager to take  
3 on any challenge we put in front of them  
4 because we support them knowing that they are  
5 capable learners who can take on the work. Like  
6 double be its [sic], we believe that education  
7 is not filling a bucket, it is lighting fires.  
8 We light fires at BBL at every day, and it is  
9 not unusual to see kids running to come to  
10 school each morning or expressing reluctance  
11 interestingly in the afternoons to go home.  
12 Dylan, a six year old, and I want to just read  
13 two testimonies here if you'll allow me, one  
14 from a child who was at our school and another  
15 from a parent who had to migrate to Florida  
16 with her kids. Dylan, a six year old in 2003  
17 and a member of our first batch of students,  
18 was asked in 2013 about his experience at BBL.  
19 He said, and I quote, "It--meaning BBL--made me  
20 strive for better. There was nothing that they  
21 said I could not do. Because of what I've  
22 learned I have become who I am today. I have  
23 faith in myself because I used to think I was  
24 the word master." Interestingly, Dylan spent  
25



1  
2 only one year with us and this is the impact it  
3 had on him. One year because his family had to  
4 move to Virginia. The other testimony is of a  
5 parent who had to move to Florida with her two  
6 kids. One was with us in first grade, the other  
7 was in fourth grade, and I'll give their name,  
8 Steph and Jewel [sic]. And this is what the  
9 mother says about Steph. "Steph has excelled up  
10 to the gifted program. She will be skipping  
11 second grade and heading to third grade in  
12 August. Her reading and math skills are on a  
13 fifth grade level. We owe her success to BBL.  
14 Jewel is a straight A plus student and he's on  
15 the Dean's list. She has excelled into an  
16 outstanding writer, which places here in the--  
17 as the first student in our school to have her  
18 own column in the school newsletter. We just  
19 received word that her column will now be added  
20 to our county's school's district newsletter.  
21 There are 36 schools in the county, and all of  
22 them will read her column. Again, we say we owe  
23 the girl's success to BBL. The care and  
24 kindness, dedication of the teachers and staff  
25 show the students that BBL is a prime example

1  
2 of how excellent school truly is." We at BBL,  
3 unquote, have high expectations of our  
4 students. As a result, we ask them things that  
5 may be a little beyond them at first, but  
6 because of previous successes, they are  
7 confident they can do it. Challenges are not a  
8 deterrent. Temporary confusion is not seen as  
9 final or fatal. In fact, it is a step in  
10 learning. It's common practice to see students  
11 spontaneously cheering on each other when  
12 they're working hard on something new and  
13 difficult. All of this has resulted in high  
14 academic achievement. More importantly to me  
15 are teachers and Board of Trustees nurture that  
16 extraordinary power to learn that resides in  
17 all our students. The truth though, is that if  
18 you're really want to know our school, you have  
19 to visit it, and I invite you to come and walk  
20 our hallways, visit our classrooms, and talk to  
21 our children. Talk to our parents as well, and  
22 you'll be convinced that the Bronx Charter  
23 School for Better Learning is a great place to  
24 grow and learn. Our Councilman, Andy King, he  
25 has been there. He liked it. And I'm not just

1  
2 inviting you. I'm insisting that the Council  
3 comes to the Bronx Charter School for Better  
4 Learning, and I'm sure you'll enjoy the visit.  
5 Thank you. Thanks again for your time.

6 CHAIRPERSON DROMM: Thank you. I'd  
7 enjoy coming. I'm going to ask my assistant,  
8 Sebastian McGuire, to make sure that we do  
9 that, come up and visit your school and see  
10 what's going on there. I appreciate your  
11 testimony, and I thank you for having stayed as  
12 long as you did with us today. Thank you very,  
13 very much.

14 SHUBERT JACOBS: You're welcome.  
15 What's several hours to talk about grade  
16 school?

17 CHAIRPERSON DROMM: Oh, my goodness.  
18 It's unbelievable, but thank you. Next, Ms.  
19 Gittens?

20 LORRAINE GITTENS-BRIDGES: Good  
21 evening. My name is Lorraine Gittens-Bridges,  
22 and first of all I would like to thank you for  
23 this opportunity to speak on behalf of New York  
24 City public schools, and I'm going to get into  
25 my high school. First of all, my son just

1  
2 recently graduated from New York City public  
3 school. He was the class of 2013. During my  
4 time, I served as the President--the PTA  
5 President of my school, the President of the  
6 President's Council for District 29. I served  
7 as the member of the CDEC, and I also was one  
8 of the co-Chairs of the Chancellor Parent  
9 Advisory Council. So I have many years of  
10 experience. I was out there during the years of  
11 the wars when we was battling for having our  
12 voices heard, when we was battling with the--  
13 trying to make sure that, you know, because I  
14 went on the actual walk through for the Eagle  
15 Academy, and even at that time, the principal,  
16 when he saw what was--that there really wasn't  
17 no space, he seen that we was right when we  
18 said there wasn't any space. So I'm here to  
19 talk about co-locations, because I've had an  
20 opportunity to speak with the parents over the  
21 years. I've had a chance to see, you know, the  
22 whole issues, the impact on this because it was  
23 an IS 231 before that, and also there's the  
24 issue of co-location. What I'm going to move  
25 onto right now is right now I'm concerned about

1  
2 the co-location for August Martin High School,  
3 okay, because I am a graduate of August Martin  
4 High School, and when I was at August Martin  
5 High School, we had programs. As a matter of  
6 fact, it's that program that has led me to go  
7 onto college and graduate and pursue the career  
8 of my choice, which is human resources. So when  
9 we talk about preparing our children to be  
10 college and career ready, you have to make sure  
11 that the programs are in the school for  
12 students to grow and thrive and to give them  
13 the same exposure that me and several, and Ms.  
14 Lang is even graduate from high school. We all  
15 had a opportunity to go onto pursue our  
16 careers, because there was exposure in our high  
17 schools. Right now the DOE did a great thing by  
18 stopping the Success Charter School from going  
19 into August Martin High School because that  
20 really was not a good match at all, but while  
21 we was cheering about that happening, we found  
22 that another co-location is going into the  
23 building, and I'm hearing that there's a space  
24 committee that's going on but yet the panel for  
25 education policy is going to be deciding on

1  
2 this May 29<sup>th</sup>. So where is this new policy  
3 where we're going to be looking at schools  
4 before we decide to co-locate any schools, when  
5 you're already making decisions and they have  
6 not even been in--the Administration hasn't  
7 even been in long enough to see, you know,  
8 what's the beauty of that school. Let me just  
9 go over the programs that's in this. They have  
10 an aviation academy right there by La Guardia.  
11 We're right there by JFK. That program, if they  
12 have a opportunity to get back on track because  
13 over the years they've destroyed August Martin  
14 High School. You see it's already listed as one  
15 of the lowest performing, lower enrollment  
16 schools in the city, okay, because of the bad  
17 image. They have a communications academy, a  
18 culinary arts academy, a law academy, a medical  
19 technology academy. These programs are going to  
20 be lost if they put another school. They  
21 already have a school in there. They have the  
22 Voyager High School in there, okay? And if you  
23 put another school or if you co-located another  
24 school inside of that school, these programs  
25 are going to be lost and if we're talking about

1  
2 preparing our children to be career and college  
3 ready, how are you going to take away the  
4 programs that they need. Okay? So I'm here to  
5 speak on behalf of that, and I will be, you  
6 know, available to speak on behalf of co-  
7 locations, period, because I've had the  
8 experience. I've sat at hearings. I've talked  
9 with students. It really also give the kids a  
10 low morale when they're hearing the school is  
11 going to be co-located, like Ms. Lang said, and  
12 there's others that could really get up there  
13 and testify for it. Having the kids eat lunch  
14 at off hours, you know, and going to after  
15 school programs. A lot of the kids, they don't  
16 even get to go home. They go straight to an  
17 after school program. Okay? So we really need  
18 to talk about how--you know, I appreciate the  
19 oversight. I'm in favor of the oversight. That  
20 is very much needed, because we heard promises  
21 here today about what the DOE's going to do,  
22 but the Panel for Education Policy meeting is  
23 May 29<sup>th</sup>. So I would suggest a hold on that co-  
24 location before, you know, and give these new  
25 programs that they say that they're going to

1  
2 give an opportunity to happen before they co-  
3 located another school.

4 CHAIRPERSON DROMM: I couldn't agree  
5 with you more. I think that they should stop  
6 that co-location to August Martin. I know that  
7 a number of the Council Members from the area,  
8 Council Member Miller, Wills, Richards from the  
9 area over there were at the forum that I  
10 attended as well.

11 LORRAINE GITTENS-BRIDGES: And I was  
12 there too.

13 CHAIRPERSON DROMM: I know you were,  
14 that's why I'm saying it, because that's where  
15 we first met, although I didn't recognize you  
16 when you were sitting out there at first, and I  
17 just remembered what had happened at 59 with  
18 the co-location when it was brought up that we  
19 don't have them. You know, Success Academy is  
20 trying to move into other areas and other well  
21 to do areas as well, not just the low income  
22 areas, and they're trying to make their mark  
23 wherever they can go, and ultimately I don't  
24 know where we're going to--where it's all going  
25 to stop, but just in regard to the co-location



1  
2 itself at August Martin, the legislation that  
3 we are talking about here today is an attempt  
4 to try to address some of those concerns about  
5 the effect that it will have on those existing  
6 schools. Now, in the case of August Martin, you  
7 were right, they did not succeed in destroying  
8 it the first time around, so they're going to  
9 come around. They're going to try to destroy it  
10 again. And I had a similar situation with the  
11 New Town High School. One time, they said New  
12 Town High School was going to be a turnaround  
13 school. I can get the terminology a little bit  
14 wrong. Then that didn't work, so they decided  
15 it was going to be a closure. So then they  
16 tried to close the school.

17 LORRAINE GITTENS-BRIDGES: And then  
18 they try to rename the schools.

19 CHAIRPERSON DROMM: Then the UFT  
20 sued. Okay? Then the UFT won the suit. All the  
21 teachers who had been let go and the principal  
22 who had been let go now all had a return. All  
23 the kids who have been put into other schools  
24 had to return to the school, and what do they  
25 decide to do? They decided to co-locate an

1  
2 international school into New Town. So it's  
3 just like, you know, damned if you do, damned  
4 if you don't, and there still going to just go  
5 ahead and do what they want to do. And so what  
6 has happened in terms of the charter versus the  
7 co-locations versus the public schools that are  
8 pushing to them, is effectively they've begun  
9 to pit parent against parent, and that is what  
10 is wrong, and that is what we have to avoid,  
11 allowing them to be able to do that. In some  
12 circumstances, not charter versus non-charter,  
13 it's space versus is there space or not space.

14 LORRAINE GITTENS-BRIDGES: Exactly,  
15 and you don't want to lose the programs that  
16 the children need, and that's we're really  
17 concerned about--

18 CHAIRPERSON DROMM: [interposing]  
19 Exactly.

20 LORRAINE GITTENS-BRIDGES: as  
21 alumni, you know, because my son is already  
22 out, but I--

23 CHAIRPERSON DROMM: [interposing]  
24 Exactly.

25

1  
2 LORRAINE GITTENS-BRIDGES: care  
3 about my high school. That's the high school  
4 that gave us our wings. You know, it's called  
5 August Martin Aviation Fly, that's what it did  
6 for us, and we would like to see it done for  
7 the next generation coming up behind us.

8 CHAIRPERSON DROMM: Absolutely, and  
9 that's why I thank you all for coming in,  
10 particularly my Cambria Heights crowd over  
11 there and everybody else as well, but your  
12 statements have been heard and we want to help  
13 you work on that. So thank you very much  
14 everybody for coming in today.

15 LORRAINE GITTENS-BRIDGES: Thank  
16 you.

17 CHAIRPERSON DROMM: Thank you.  
18 Alright. We think this is our last panel. Let's  
19 see. Jojo [sic] Hutchinson from Mid-Manhattan  
20 Adult Learning Center. Is he here? Shimon  
21 Waronker, New America Charter School. Michael  
22 Catlyn from Brooklyn Charter? Steven Zimmerman  
23 from the Academy of City Charter School, and  
24 Barbara Denham from CEC 3. Okay, would you  
25 raise your right hand, please? I'm going to

1  
2 swear you in. Do you swear or affirm to tell  
3 the truth, the whole truth and nothing but the  
4 truth and to answer Council Member questions  
5 honestly? Okay, who would like to begin?

6 MICHAEL CATLYN: My name is--I too  
7 had to strike out the word good morning, Mr.  
8 Chairman. It's good evening at this point.

9 CHAIRPERSON DROMM: Thank you.

10 MICHAEL CATLYN: Good afternoon,  
11 Chairman Dromm and members of the committee,  
12 and I see you're representing them boldly. My  
13 name is Michael Catlyn and I'm the Vice  
14 Chairman of the Board of Trustees of the  
15 Brooklyn Charter School, and we thank you for  
16 this opportunity to testify. The Brooklyn  
17 Charter School is an independent charter that  
18 opened its doors in August of 2000, and we are  
19 presently a kindergarten to fifth grade school.  
20 BCS opens its doors to 78 students, and since  
21 then has grown to 239. BCS is a community  
22 school that has about 79 percent free and  
23 reduced lunch, 12 percent special education,  
24 and five percent English language learners. BCS  
25 prides itself on having small class sizes with

1  
2 20 students per class as well as having two  
3 teachers in each classroom. BCS structures its  
4 approach to 21<sup>st</sup> learning by offering high  
5 level state of the art technology infused into  
6 its education. BCS provides a well-rounded  
7 education for all students K through five using  
8 balance literacy, constructivist math, inquiry  
9 based science, project based social studies and  
10 geography and traditional and nontraditional  
11 dance and music. BCS, Brooklyn Charter School,  
12 currently shares space in PS 23 complex and  
13 we've shared this space since September of  
14 2004. BCS and PS 23 have worked collaboratively  
15 since then on several school activities. We  
16 have combined Afro-Cuban percussion group that  
17 we work with daily and entails learning and how  
18 to play drums and master percussions, and we do  
19 our winter fest and summer fest performances  
20 together. Brooklyn Charter School and PS 23 has  
21 enjoyed its relationship since then and  
22 continue, plan to continue this collaboration  
23 into the future.

24 CHAIRPERSON DROMM: Okay, thank you.

25 Next, please?

1  
2 STEVE ZIMMERMAN: Buenos tardes,  
3 [speaking Spanish] I know you are high school--

4 CHAIRPERSON DROMM: [interposing]  
5 Buenos tardes.

6 STEVE ZIMMERMAN: you were a high  
7 school Spanish teacher.

8 CHAIRPERSON DROMM: [speaking  
9 Spanish].

10 STEVE ZIMMERMAN: And that takes care  
11 of everything after 2:00 p.m. My name is Steve  
12 Zimmerman. I've lived in Sunnyside Queens for  
13 the last 23 years. I'm an educational software  
14 developer and I'm also the founder of two  
15 community based charter schools in Queens, Our  
16 World Neighborhood Charter School, and most  
17 recently, Academy of the City Charter School in  
18 Woodside. So thank you for the opportunity to  
19 testify and I'm going to go off note here for a  
20 minute. I'd actually like the committee to  
21 discount testimony from charter school  
22 advocates who do not acknowledge the problems  
23 within the sector. They have been brought out  
24 here and they exist. Likewise, I would like the  
25 Committee to discount testimony from charter

1 school distractors who do not understand the  
2 true contributions of charter school to  
3 education and the basic paradigm that gives us  
4 the ability to innovate and the autonomy to do  
5 so. This autonomy is now recognized in the new  
6 teacher contract, which has been discussed here  
7 previously, which is allowing, you know, these  
8 sort of schools that almost seem to me a little  
9 bit like charters. So I think that there is  
10 some debt or some acknowledgement that things  
11 within the sector are, you know, are working,  
12 but one sided myopic thinking does not make for  
13 a very good dialogue and makes me want to  
14 channel John Stewart, our only news caster, you  
15 know, saying, "Charter Schools, a good thing,  
16 bad thing, good, bad." I mean, we've got to get  
17 beyond this good thing/bad thing here. We  
18 started Academy of City. It's a SUNY charter  
19 school. It's now in its third year. We're in  
20 district 30 represented by you, by Jimmy Van  
21 Bramer, Costa Constantinides. Our kids come  
22 from LIC, Astoria, Sunnyside, Woodside, Jackson  
23 Heights, East Elmhurst, as you and all the  
24 folks who live in these neighborhoods can  
25

1  
2 attest, incredibly diversity of these  
3 neighborhoods. It's our lifeblood. There's no  
4 place on earth that has the great mosaic that  
5 we do, and in fact, we created Academy of the  
6 City Charter Schools, and ode to the American  
7 Dream, and to the hardworking people from  
8 around the world who have made their homes  
9 here. I'm going to read a short piece from our  
10 mission statement. Our standards driven  
11 curriculum encourages community, honors  
12 diversity, and reflects our deep commitment to  
13 multiculturalism and to making the American  
14 experience accessible to new Americans. As  
15 such, Academy of the City has a special  
16 interest in ensuring students identified as  
17 English language learners and their families  
18 enter the school. Our message is clear. If your  
19 kids are just learning English, we want them.  
20 We deliver this message through community  
21 outreach, immigrant advocacy organizations,  
22 merchants, daycare centers. When we first  
23 opened our doors in 2011, our EL population was  
24 about 25 percent. Sixteen different languages  
25 are spoken in the homes of our children. Our



1  
2 initial facility was located right in the  
3 middle of Queens Bridge and Ravens Wood, one of  
4 the largest stretches of public housing in the  
5 US, and when we recently moved into private  
6 space into Woodside, 95 percent of the families  
7 made the move with us. The loyalty we've  
8 inspired from our families isn't just due to  
9 the extra attention we pay to literacy for non-  
10 English speakers. It's really due to what a lot  
11 of us call for lack of a better term,  
12 progressive education. I actually haven't heard  
13 this used a whole lot today, but we are diehard  
14 believers of a strong liberal arts education  
15 with music, dance, drama; technology and visual  
16 arts is the greatest way to instill lifelong  
17 learning for everyone's children. And that  
18 while testing, while important, should be  
19 diagnostic and not a pursuit. We stole our  
20 principal from Bank Street and we really  
21 believe that public--you know we want our  
22 school to be like Saint Anne's. It should be  
23 like the greatest schools in New York. There's  
24 no reason why public schools can't be these  
25 great progressive institutions. So due to the

1  
2 autonomy of our charter, our ability to be  
3 unabashedly progressive has had an interesting  
4 effect. So not only are we a school of first  
5 choice for new immigrants and poor people, but  
6 actually hundreds of middle class families are  
7 now putting their kids in our lottery because  
8 they love what they're doing. We have a school-  
9 wide e-portfolio system that we're developing  
10 for authentic assessment and we plan to share  
11 this with other schools in the DOE. We're  
12 becoming one of the great, I believe,  
13 educational stories in this great city. The  
14 council will also be pleased to know that we've  
15 negotiated union contract, the thin one, with  
16 our teachers and it works for everyone in the  
17 school. We also want council to know that we  
18 pay very dearly for our private space and hope  
19 that this disparity will be addressed. Our only  
20 significant funding comes from the public for  
21 people allocation and there is so much more  
22 that we could do with our kids with that 20  
23 percent of revenue that goes to facilities. So  
24 our story really is great in many ways, but it  
25 is not well known. We're a small independent

1  
2 community based charter school quietly going  
3 about our work in an environment that is  
4 becoming needlessly polarized. We're proud to  
5 be associated with our colleagues from the  
6 Coalition of Community Charter Schools who like  
7 us believe that a charter can provide the means  
8 for a community to create meaningful and  
9 innovative educational experience for their  
10 kids. Our wish is to work collaboratively with  
11 the Administration and to help advance all of  
12 public education. One thing I would want to  
13 mention, I heard a lot of ire today, and I  
14 don't really want to go into it, but I really  
15 believe that a lot of the stuff, and it's well-  
16 -and some of it is well directed, really comes  
17 from kind of our national obsession with  
18 outcomes, and that especially in charter  
19 schools where our charter is held over our  
20 head. Perform or lose your charter. Out perform  
21 your district or lose your charter. What are  
22 your test scores? When you look at academic  
23 outcomes as the bottom line of education,  
24 you're kind of perverting the true goals of  
25 education. A lot of the things that go on are

1  
2 really the result of schools being sort of  
3 forced into test scores matter more than  
4 anything else. So rather than concentrate all  
5 the time on the symptoms of it. Because I think  
6 some of those things are symptomatic. I think  
7 we want to concentrate a little bit more on the  
8 root causes of this. Let's help--let us help  
9 you get education back to the true goals of  
10 education. I thank you for allowing me to  
11 testify today, Daniel.

12 CHAIRPERSON DROMM: Thank you. And  
13 next? And then I'll have some comments.

14 SHIMON WARONKER: Good afternoon,  
15 Chairman Dromm, Council.

16 CHAIRPERSON DROMM: Good evening.

17 SHIMON WARONKER: Good evening.

18 Almost--

19 CHAIRPERSON DROMM: [interposing] I  
20 got a chance it, so.

21 SHIMON WARONKER: Thank you. And all  
22 of those who are still here. It shows your  
23 dedication to the cause of education, not only  
24 as being an educator, but your stamina to be  
25 here, and the statement that you are making

1  
2 with your orange shirt, I just want to say  
3 since I'm the closer, I would--if you could  
4 allow me to wear your orange shirt so I can  
5 stand in solidarity with you, because it is  
6 outrageous. My name is Shimon Waronker, and I'm  
7 the founder of the New American Academy Charter  
8 School. I'm also supervising principal in the  
9 New York City Department of Education. So  
10 that's why I raised my hand a little earlier  
11 on, and I let Carmen know, but I want to thank  
12 you--

13 CHAIRPERSON DROMM: [interposing] And  
14 in fairness, they did come back. Thank you.

15 SHIMON WARONKER: Well--

16 CHAIRPERSON DROMM: [interposing] Not  
17 here now, but they did come back. Okay.

18 SHIMON WARONKER: So the New  
19 American Academy Charter School is located in  
20 East Flatbush. Our elementary schools is  
21 located at the Tildon [sp?] High School campus.  
22 It's actually a very nice co-location. The high  
23 school students mentor our youngin's [sic] and  
24 it's really good. 98.6 black or Hispanic, 10.7  
25 percent special education, which is three

1  
2 percent more than the district, 81.9 percent  
3 free and reduced meals. I also closely  
4 supervise two district schools that share the  
5 same model, one in the Bronx in district,  
6 community school district nine and another one  
7 in Brooklyn in Crown Heights, Brooklyn in  
8 District 17. The three schools have a joint  
9 summer training, five weeks of summer training.  
10 One week is up at Harvard. Chairman, I invite  
11 you to come and I invite you to visit the  
12 schools. Joint monthly leadership professional  
13 development training--we share hiring and  
14 onboarding practices. We share peer review  
15 systems which Michael Milgrew [sp?] would like  
16 to pilot, and I'm doing a collaboration with  
17 the National Education Association, the  
18 American Federation of Teachers to do peer  
19 review beyond New Americans. To give you an  
20 idea, because you've been an educator, peer  
21 review, the way we do it at New American is the  
22 group of teachers observes the practice of a  
23 teacher. They give them feedback. Guess who  
24 writes the observation?

25 CHAIRPERSON DROMM: The teacher?

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

SHIMON WARONKER: Yes, sir.

CHAIRPERSON DROMM: It's very good.

Let you finish, and then I'll comment.

SHIMON WARONKER: Yes, sir. So I was assigned. I'll give you a little bit of history. I was assigned in the year 2004 to be a principal in the Bronx, in middle schools 22. It was an impact school, one of the 12 most violent. I was the seventh Principal there in three years. Those 12 schools comprised 60 percent of the crime data out of the 1,200 plus schools. This one school comprised by itself 20 percent of the crime data out of the 12. And so this little Hasidic Jew went there and thank God I'm alive to tell the tale, but in one year we reduced major crime by 100 percent, all other crime by 90 percent. We removed the school from SUR [sic] and there was a front page story in the New York Times, which I've included as an appendix so that you can take a look at it and see what happened at the school. Joel Klein, the Chancellor at the time, was really excited. He said, "Well, Shimon, how can you do this at other schools?" I said, "Quite

1  
2 frankly, sir, I don't know." And so he sent me  
3 to Harvard's Urban Superintendents Program,  
4 it's a doctoral program so I could learn how to  
5 do it beyond Middle School 22. So when I  
6 returned from Cambridge, I spent a year with  
7 Joel. I served as his mentee. So, I spent a  
8 year closely watching how he led the school  
9 system, and I created in collaboration with  
10 Michael Milgrew and Randy Wineguard [sic], a  
11 thin contract. The only contract that got  
12 signed in that cold era between the union and  
13 the Bloomberg Administration, this is the only  
14 contract they signed, sir. And it provided a  
15 career ladder, the first in New York City,  
16 based on not years of service, but an ability.  
17 One and a half hours of collaborative time  
18 daily, and you know what that means to  
19 teachers. It's gold. Five weeks of summer  
20 training for the first year for onboarding  
21 purposes, and this is all contractual. The  
22 contract is also included as an appendix, sir,  
23 so you can look at it. As you notice, it's  
24 only five pages long, so I know lawyers took a  
25 long time, council, I just want to share with



1  
2 you, to boil it down to five pages. But I had  
3 difficulty opening additional district schools,  
4 and so I met with Merryl Tish [sp?] and we  
5 opened one charter school, which is the New  
6 American Academy Charter School, and that's  
7 what I'm representing right now. And then  
8 afterwards, the DOE said, "Well, Shimon, why  
9 don't you open another district school and get  
10 your contract signed?" And I did, and you'll  
11 notice it's signed by Dennis Walcott. My issue,  
12 sir, and I've heard it all day today,  
13 everybody's fighting. Who's better, charter or  
14 district? I don't want to get involved in that  
15 debate. I told Joel I'm not interested in that  
16 fight. What I am interested is all of us  
17 collaborating for the benefit of children, and  
18 we need to find a way to do that. And so there  
19 are two statements, one from Joel Klien and one  
20 from Randy Wineguard about New American. I'm--  
21 if you'll allow.

22 CHAIRPERSON DROMM: Yes, you can just  
23 wrap it up.

24 SHIMON WARONKER: Yes, sir, yep.

25

1  
2 CHAIRPERSON DROMM: A couple of  
3 minutes.

4 SHIMON WARONKER: Thank you sir. Joel  
5 Klein, "The New American Academy is an  
6 innovative, potentially very powerful way to  
7 provide education to children. it is both  
8 brilliant and scalable and holds out the hope  
9 of change in K to 12 education in major ways.  
10 This is a big idea, something we desperately  
11 need if we are going to significantly change  
12 the educational outcomes for our children."

13 Randy Wineguard, "The New American Academy in  
14 Crown Heights Brooklyn, New York is creating a  
15 powerful, compelling model of what a public  
16 school in a new knowledge economy should be.  
17 Built in a foundation of teacher collaboration  
18 and professional reflection, the New American  
19 Academy is a wonderful place of learning for  
20 kids precisely because of its culture of trust  
21 and caring." The children stay with the same  
22 teachers from kindergarten through fifth grade.  
23 They loop, so they know the parents. They know  
24 the kids. Our parents love the teachers. It's  
25 built on trust and love. What you'll notice is

1  
2 in the back there's an article by David Brooks,  
3 which calls it the Relationship School, because  
4 I believe that without relationships, you don't  
5 have real education. That orange shirt tells me  
6 it's a scarlet letter on a kid. It's  
7 outrageous. It is wrong. Not in this great  
8 country, and I admire you for standing up for  
9 that sir. I'm just going to share with you. I  
10 had a group of teachers when I was in the  
11 Bronx, they removed--as penalty, if a child  
12 didn't bring a pencil to school, they removed  
13 one of the shoes. You got to understand, this  
14 was one--poorest congressional district in the  
15 United States of America. So I met with the  
16 teachers, and they said, "Well you've empowered  
17 us." I said, "I may have empowered you, but it  
18 goes against my values to remove a shoe because  
19 the kid forgot his pencil as collateral." And  
20 I said to them, "You will not remove the shoe  
21 of children or humiliate the child. It is not  
22 what we stand for as American citizens." I  
23 think we need to work collaboratively, sir. The  
24 arguments that I heard today, it's just a lot  
25 of wasted energy. The reality is we all have to

1  
2 work together. My dad was a labor union  
3 organizer and I'm Joel Klein's mentee. So it  
4 can be done. We can do and design a better  
5 contract, better outcomes for our adults and  
6 for our children. And I want to say, as a  
7 member of the coalition of community charters,  
8 when the Reverend spoke with passion, when my  
9 colleagues here, Michael--I'm sorry--Steve, and  
10 all of these charters--all these folks who  
11 really just want better outcomes for kids, you  
12 know? And they're caught in the crossfire of  
13 folks saying it's all about money and this. For  
14 us, look, I earn 138,000 and no bonus. Not  
15 about money. It's about the kids, sir. And I  
16 know that's why you're serving on this  
17 committee, and I know that's why you've stayed  
18 all this day and respectfully acknowledged  
19 everyone and their pains and their aspirations.  
20 I hope, sir, under your leadership you can help  
21 take this city to the next level with our new  
22 Chancellor. Thank you so much. I can entertain  
23 any questions.

24 CHAIRPERSON DROMM: Thank you very  
25 much. So much has been presented that the

1  
2 questions that I had, sometimes I forget  
3 actually at this point of the day. But I just  
4 want to focus on this idea of working  
5 collaboratively with especially the Coalition  
6 for Charter Schools. I think that's a very good  
7 objective. I think that it's something we want  
8 to work toward. I appreciate your efforts to do  
9 outreach in that regard. I appreciate your  
10 support for the orange shirt issue, and for  
11 your willingness to speak out against that as  
12 well, and I think that's vitally important to  
13 having discussions further down the road that  
14 when we see something wrong, and I don't know  
15 which the panelist it was that said, maybe it  
16 was Steve, that said when we see things wrong  
17 in the charter movement we need to talk about  
18 that. When we see things wrong in the public  
19 schools movement, we need to speak out about  
20 that as well. I think that's really important  
21 to the discussion.

22 SHIMON WARONKER: Sir, I served in  
23 the US Army, and I just want to share with you,  
24 in special operations, and there's a General  
25 who once said, "If you walk by something

1  
2 substandard and say nothing, it becomes the new  
3 standard."

4 CHAIRPERSON DROMM: Absolutely. And  
5 Steve, thank you. And just tell me a little  
6 bit. You're going for the union contract, you  
7 said? What's the--you mentioned that in your  
8 testimony. Was that you?

9 STEVE ZIMMERMAN: We have the thin  
10 con--we--

11 CHAIRPERSON DROMM: [interposing] A  
12 think contract?

13 STEVE ZIMMERMAN: Yeah, we  
14 negotiated a contract several years ago.

15 CHAIRPERSON DROMM: Okay. And that's  
16 with the UFT, obviously?

17 STEVE ZIMMERMAN: Yes.

18 CHAIRPERSON DROMM: Okay, very good.  
19 And the arrangement with you, I'm sorry,  
20 regarding being principal in the Bronx and also  
21 the charter, I don't understand that. Can you  
22 just explain that arrangement to me?

23 STEVE ZIMMERMAN: Yes, sir. So when  
24 the DOE asked me to have a school in the Bronx,  
25 so I said I can do that as long as I can

1  
2 supervise. There are principals at both, at all  
3 three schools. Now, I don't supervise the  
4 charter school because it's a separate entity.  
5 I only supervise the Department of Education's  
6 schools. I was the founder of the charter  
7 school, but I'm not--I'm not tied in any way  
8 other than we share the model. We share  
9 training together, and all of these things that  
10 are done collaboratively is because I don't  
11 look at the students or teachers as if they're  
12 foreign just because they're in a different  
13 outfit.

14 CHAIRPERSON DROMM: Okay, great. Now,  
15 I got it. I just didn't understand it when you  
16 had originally mentioned it.

17 STEVE ZIMMERMAN: Yes, sir.

18 CHAIRPERSON DROMM: And Mr. Catlyn,  
19 thank you also for coming in. I think you have  
20 a great situation there, two teachers and class  
21 sizes of 20 seems to be to be ideal. So keep up  
22 the good work, and--yes, do you want to say  
23 something?

24 MICHAEL CATLYN: We have 60 to four  
25 ratio. So we have a--

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CHAIRPERSON DROMM: [interposing]

Wait, what is it?

UNKNOWN: A 60 to four ratio, 60 students with four teachers. So it's a 15 to one, sir. I'm not trying to--

[cross-talk]

CHAIRPERSON DROMM: No, right.

UNKNOWN: But also included--

CHAIRPERSON DROMM: [interposing]

It's a great ratio. It's part of the issue and the problems that I also have to deal with the DOE, because we have class sizes in the DOE, I taught classes with 38 kids in them.

UNKNOWN: And that's outrageous.

CHAIRPERSON DROMM: Okay, 38, and that was as of 2009. Okay? So we need to work together on those issues to bring those class sizes down.

UNKNOWN: So on average, our teachers make 38 percent more than the DOE. We have a 15 to one student ratio, and it is the same budget, sir. I'm just sharing with you. It is the same budget. I don't get any extra funds. It can be done within the current



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

existing budget. I'm more than happy to share with you how. I shared with city OMB, they couldn't believe it, and now we have two physical schools that do it, sir.

CHAIRPERSON DROMM: We'd love to have that discussion. It's a little late in the evening to continue that, but I'd definitely be interested in hearing more about that. So I don't think we have anybody else, no. I want to thank you for coming in. I want to thank everybody for attending today's hearing. I think that it's been quite productive. I think we got at a lot of important issues. I hope that we had a reasonable discussion about not just the headlines that often make it out there, but also a discussion about the underlying real education issues that confront this committee on a daily basis. And so I think with that it is now 5:47, and I'm going to say this meeting is adjourned. Thank you.

[gavel]

[off mic]

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

COMMITTEE ON EDUCATION

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify there is no relation to any of the parties to this action by blood or marriage, and that there is no interest in the outcome of this matter.



Date 05/27/2014